



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MARCH 13, 2003

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:46 P.M. in the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN STEPHEN QUINN, MEMBERS CRAIG GALATI, STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN AND TODD NIGRO

STAFF PRESENT: MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE - PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD - PLANNING & DEVELOPMENT DEPT., BART ANDERSON - PUBLIC WORKS, YONGYAO LOU - PUBLIC WORKS, BRYAN SCOTT - CITY ATTORNEY'S OFFICE, ANGELA CROLLI - CITY CLERK'S OFFICE, MARY ESWAY - CITY CLERK'S OFFICE, AND LINDA OWENS - CITY CLERK'S OFFICE

MINUTES:

CHAIRMAN TRUESDELL, Planning and Development, called the Briefing to order at 5:46 P.M.

DAVID CLAPSADDLE, Planning and Development, summarized the following applications:

Item 23, ZON-1773:

MR. CLAPSADDLE stated that in the report staff has suggested this item be tabled. However, it is uncertain as to what course of action the applicant may want to pursue.

Item 24, VAR-1749 and Item 25, SUP-1748:

MR. CLAPSADDLE explained that these items should be held until the 4/10/2003 Planning Commission meeting pending City Council action.

Item 32, VAR-1885, Item 33, SUP-1887 and Item 34, SDR-1769:

MR. CLAPSADDLE said that the applicant has requested a two-week abeyance on these items to 3/27/2003. However, staff would prefer these items be held until the 4/10/2003 Planning Commission meeting. Staff would like to have a month to continue working with the applicant instead of two weeks.

City of Las Vegas

PLANNING COMMISSION MEETING OF MARCH 13, 2003 Planning & Development Department BRIEFING

MINUTES – Continued:

CONDITION CHANGES:

Item 6, VAR-1733:

MR. CLAPSADDLE noted that this item is a Variance to have zero open space instead of approximately 9,000 square feet that would be required. Staff is going to suggest an additional condition requiring the applicant to work with the Departments of Public Works and Planning and Development to come up with an alternative method to have a contribution to the park. Staff has not discussed that issue with the applicant.

Item 12, SDR-1702 and Item 13, SDR-1705:

MR. CLAPSADDLE stated staff would like to add a new condition that is to back up the original condition imposed at the time of zoning to make a point that there be a Development Agreement to allocate parks and open space. It is not appropriate to stipulate that in the Site Development Plan; it should be in the Development Agreement. The Grand Teton Master Plan area requires 3.88 acres of open space throughout the entire Master Plan area, which will be met if the two subsequent applications meet their open space requirements. A condition should be added that when the Development Agreement is discussed the applicant is on notice that the Planning Commission and staff will be going into great depth on that issue when it is on the agenda at a later date.

Item 22, SDR-1767:

MR. CLAPSADDLE said staff will be suggesting a condition amending the setbacks to 18.0 feet to the front of the garage and 12 feet to the front of the house.

Item 23, ZON-1773:

MR. CLAPSADDLE noted that if this item is heard staff will be suggesting a new condition that no overnight sleeping shall be allowed on the premises.

OTHER ITEMS:

Item 21, ZON-1766, and Item 22, SDR-1767:

MR. CLAPSADDLE announced the applicant for these items has a scheduling conflict between here and the City of Henderson. They will ask if these items can be moved forward on the agenda.

Item 40, VAC-1764:

MR. CLAPSADDLE suggested hearing this item concurrently with Item 8, Item 9, and Item 10.

BRIEFING ADJOURNED AT 5:51 P.M.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MARCH 13, 2003

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND 5:00 AM ON THE FOLLOWING TUESDAY

PLEDGE OF ALLEGIANCE was led by COMMISSIONER McSWAIN

CALL TO ORDER: 6:02 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN CRAIG GALATI, VICE CHAIRMAN RICHARD TRUESDELL, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN AND STEPHEN QUINN

STAFF PRESENT: MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE - PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD - PLANNING & DEVELOPMENT DEPT., CHRIS MacDONALD - PLANNING & DEVELOPMENT DEPT., WENDY BAYANG - PLANNING & DEVELOPMENT DEPT., BART ANDERSON - PUBLIC WORKS, YONGYAO LOU - PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY’S OFFICE, ANGELA CROLLI – CITY CLERK’S OFFICE, MARY ESWAY – CITY CLERK’S OFFICE, LINDA OWENS – CITY CLERK’S OFFICE

(6:00)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 13, 2003

SUBJECT:

Approval of the minutes of the February 13, 2003 Planning Commission Meeting

MOTION:

QUINN - APPROVED - UNANIMOUS

MINUTES:

There was no discussion.

(6:01)

1-25

NOTE: CHAIRMAN TRUESDELL commented on the retirement of Deputy City Clerk Linda Owens from the City and her contribution to the Planning Commission for many years. DAVID CLAPSADDLE, Planning and Development, added that he started with the City approximately ten years ago and Linda was assisting the Planning Commission at that time and has been a great help.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 13, 2003

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 13, 2003

CHAIRMAN TRUESEDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - TMP-1588 - ROME & TIOGA - ROMNEER, LIMITED PARTNERSHIP - Request for a Tentative Map FOR A 24-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.0 acres adjacent to the southeast corner of Tioga Way and Rome Boulevard. (APN: 125-22-402-003, 004, 005, and 006), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development-3 Units Per Acre), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED Items 1, 2, 3, and 4 subject to conditions - UNANIMOUS

This is final action.

NOTE: COMMISSIONER McSWAIN disclosed that she normally abstains on Becker projects, but her firm has concluded its business with them.

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:10 – 6:11)

1-222

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 1 – TMP-1588

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review [SDR-1054] and the Rezoning [ZON-1053].
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Detail annotated as "60-ft Right-of-Way" shall be revised to comply with adopted city requirements.
7. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1053, Site Development Plan Review SDR-1054 and all other subsequent site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - TMP-1712 - CASCADE II - STANPARK CONSTRUCTION COMPANY - Request for a Tentative Map FOR A 77-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 10.3 acres adjacent to the southeast corner of Grand Teton Drive and Grand Canyon Drive (APN: 125-18-501-001 and 002), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED Items 1, 2, 3, and 4 subject to conditions - UNANIMOUS

This is final action.

NOTE: COMMISSIONER McSWAIN disclosed that she normally abstains on Becker projects, but her firm has concluded its business with them.

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:10 – 6:11)

1-222

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 2 – TMP-1712

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review [SDR-1262] and Rezoning [ZON-1260].
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
7. Site development to comply with all applicable conditions of approval for ZON-1260, SDR-1262, and all other subsequent site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-1760 - KRAFT COURT SUBDIVISION - LESTER AND KATHLEEN HOLMES ON BEHALF OF TEN PLUS INC. - Request for a Tentative Map FOR A PROPOSED 10 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 3.23 acres located on the north side of Kraft Avenue, approximately 600 feet east of Torrey Pines Drive (APNs: 138-02-501-015, 016, 017), R-D (Single Family Residential-Restricted) and R-1 (Single Family Residential), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED Items 1, 2, 3, and 4 subject to conditions - UNANIMOUS

This is final action.

NOTE: COMMISSIONER McSWAIN disclosed that she normally abstains on Becker projects, but her firm has concluded its business with them.

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:10 – 6:11)

1-222

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 3 – TMP-1760

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning [ZON-1214].
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map shall be approved by the Planning and Development Department and Public Works Department staff depicting sidewalks on the cross section labeled “Public Street,” in compliance with Condition #2 of Rezoning [ZON-1214].
4. Street names must be provided in accordance with the City’s Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

7. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The entrance shall be designed, located and constructed in accordance with Standard Drawing #222A.
8. Site development to comply with all applicable conditions of approval for ZON-1214 and all other subsequent site-related actions.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 3 – TMP-1760

CONDITIONS – Continued:

9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ANX-1752 - THOMAS FETT - Petition to Annex property generally located on the north side of Smoke Ranch Road, 450 feet east of Michael Way, containing approximately 1.08 acres, APN: 138-18-801-068, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN - APPROVED Items 1, 2, 3, and 4 subject to conditions - UNANIMOUS

To be forwarded to City Council in Ordinance form.

NOTE: COMMISSIONER McSWAIN disclosed that she normally abstains on Becker projects, but her firm has concluded its business with them.

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:10 – 6:11)

1-222

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - ZON-1490 - ALEXANDER MACKOVSKI -
Request for a Rezoning FROM: U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] TO: R-PD6 (Residential Planned Development - 6 Units per Acre) and a Waiver of minimum R-PD lot size requirements on 2.65 acres adjacent to the east side of Warm Meadows Street, approximately 340 feet south of Alexander Road (APN: 138-09-101-011), PROPOSED USE: Single-Family Development, Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

60

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED for a maximum of 13 lots subject to conditions and additional condition that a homeowners association be created and Condition 2 amended to state that the approval be by the Planning Commission *and* City Council – UNANIMOUS with McSWAIN abstaining as the applicant is a client of her firm

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated this item was held in abeyance at the last meeting in order to provide time to work with the neighbors on the design of the project. Since that meeting the applicant has met with the neighbors on two occasions and the subdivision has changed. This site is south of Warm Meadows Street, west of Cimarron Road. There is existing R-PD7 (Residential Planned Development – 7 Units per Acre) to the east, west

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 5 – ZON-1490

MINUTES – Continued:

and south and R-PD5 (Residential Planned Development – 5 Units per Acre) to the north. The original subdivision showed 16 lots. After meeting with the neighbors the first condition of approval is to amend the request to R-PD5, instead of R-PD6. It has been reduced in size from 16 lots to 13 lots. Ten of the lots front on a single cul-de-sac. The other three lots face Warm Meadows Street. The lot sizes have changed and now range from 5,500 square feet to 11,000 square feet. There are some conditions, such as house size and garage options, that are never listed as a condition. Staff recommended approval subject to the conditions.

PHILLIP MACKOVSKI, 7755 Maggie Belle Court, appeared in order to represent the application. He held a neighborhood meeting on 2/17/2003 and came to an agreement with the neighbors. On the sizes of the houses the neighbors are requesting a single story with 1,900 square feet, another house 2,300 square feet, and another 2,500 square feet. This project has been downsized from 16 to 13 lots. The neighbors requested the rooflines match their houses. In addition, there was a request to have a third car garage optional and the front yards similar to their houses. The block walls will be painted white and the project will have a maximum of four one-story homes. The colors of the houses will match the neighbors' colors. He concurred with staff's conditions.

TODD FARLOW, 240 North 19th Street, appeared in approval. He was pleased that the applicant met with the neighbors and worked out the issues. This development should be included in the homeowners association.

KENT FITZPATRICK, 3901 Cool Meadows Drive, appeared in approval. He did not attend the neighborhood meeting. He was concerned that this development will not be a part of the neighborhood association, which has only a \$10.00 per month fee. That guarantees that all the properties will be maintained properly.

CHAIRMAN TRUESDELL thanked the applicant for working with the neighbors on the issues. In regard to the homeowners association, that should be included in this application. He has seen a development that maintained a homeowners association and another development that did not. There was a noticeable difference in those communities. He asked if there would be a request for a contribution to a park

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 5 – ZON-1490

MINUTES – Continued:

MR. CLAPSADDLE responded that there is no condition in regard to a contribution for a park. There is a triangular piece of property that serves as a park next to the Nevada Power easement on the lefthand corner of this site. Staff would like to have the applicant continue to work with the Departments of Public Works and Planning & Development to look at that park to see what contribution would be appropriate between now and the time the Tentative Map is proposed.

COMMISSIONER GALATI was concerned about such an open-ended requirement. He felt there should be a condition imposed in regard to a contribution to the park.

CHAIRMAN TRUESDELL said he appreciated what the applicant has done with the neighbors. It is advantageous to have the infill parcels built out. He would like to see the applicant consider joining the existing homeowners association.

COMMISSIONER NIGRO asked the applicant his opinion on having a condition in regard to contributing to the park.

MR. MACKOVSKI wondered if he had to contribute to the park since it is so far away from this development.

DEPUTY CITY ATTORNEY BRYAN SCOTT responded that he did not feel contributing to a park is a legal issue, but more a policy issue on what the Department of Planning & Development requires. This community will have an impact on the existing park.

MR. CLAPSADDLE stated that the amount that is usually required of an applicant per acre towards a park is \$300,000 per acre. Taking 20% of \$300,000 would mean a \$60,000 contribution. This open space is approximately 9,000 square feet. Therefore, that amount would not be reasonable for this development. Perhaps there could be a requirement to complete a basketball court or planting of trees.

MR. MACKOVSKI pointed out that the open space has a high voltage electricity line in it. He wondered if it would be safe for persons to be in a park so close to that line.

MR. CLAPSADDLE explained that there is a trail that goes through the easement. Staff wants to have some contribution to fix up the park.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 5 – ZON-1490

MINUTES – Continued:

DEPUTY CITY ATTORNEY SCOTT commented that the existing homeowners association would have to change their CC&R's to encompass this project, but this development would have to agree to go under the rules of that association.

COMMISSIONER GALATI asked the applicant why he does not want to join the homeowners association.

ALEXANDER MACKOVSKI, 7745 Maggie Belle Court, appeared on behalf of the application. If they join the homeowners association they sell the rights of the people purchasing the houses. If the people who purchase the houses feel they want to join the association, they can join at any time.

COMMISSIONER GOYNES asked if there is a fee to put this development into the homeowners association. DEPUTY CITY ATTORNEY SCOTT responded that he did not feel there would be a problem with this development establishing their own association, but in joining an existing association that could cause problems.

COMMISSIONER GALATI said he would not be concerned about joining the existing association if this development had its own access to a major street and they would not be driving through the existing neighborhood. However, it appears this development is trying to be a part of the existing subdivision. He feels this project should be connected to the existing homeowners association.

COMMISSIONER GOYNES gave the example that if four out of the 13 houses of this project decide they don't want to maintain their landscaping, it would appear that this development does not belong to the existing community. He felt this project should have a homeowners association. The residents tend to police the neighborhood themselves.

COMMISSIONER NIGRO wondered if it is possible to place a condition on this application that they form a homeowners association and if that type of document would be subject to staff's review. He felt a homeowners association would help to sell the houses.

MR. CLAPSADDLE responded that about 98% of the R-PD developments require a homeowners association. If they would be required to have a homeowners association, that would be a condition of approval and those documents are never brought back to the Planning Commission for review.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 5 – ZON-1490

MINUTES – Continued:

DEPUTY CITY ATTORNEY SCOTT felt they could be required to establish their own homeowners association. The problem is whether the existing neighborhood association would accept them joining theirs. The City Attorney's Office never reviews any of the HOA documents.

COMMISSIONER EVANS did not feel it is unreasonable to request this applicant to contribute towards a park. He was concerned that this applicant does not seem favorable to helping with the park in lieu of open space for this project.

CHAIRMAN TRUESDELL felt there are two issues involved in this project, open space and homeowners association. The applicant responded that there are 600 houses in that subdivision. He wondered what the existing homeowners association would be required to contribute towards a park compared to what he would have to contribute.

MR. CLAPSADDLE added that normally the minimum lot size is 5.0 acres. This parcel is 2.65 acres. They are asking for R-PD zoning, which is the same zoning that is across the street to the north and less density to the south and east. It does not meet the normal size for an R-PD development, but because it is the last infill piece and they are asking for the same zoning as what's around it, what staff has requested is reasonable. They would have the park contribution resolved prior to the City Council meeting.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 6 [VAR-1733] and Item 7 [SDR-1734] for further discussion.

(7:36 – 8:18)

1-3183

CONDITIONS:

Planning and Development

1. The request shall be amended to R-PD5.
2. A Resolution of Intent with a two-year time limit.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 5 – ZON-1490

CONDITIONS – Continued:

3. A Site Development Plan Review application (SDR-1734) and a Variance application (VAR-1733) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. The development shall include the features agreed to with the adjacent neighborhood association.

Public Works

5. Dedicate appropriate right-of-way for a total of 51 feet adjacent to and through this site for Woodland Prairie Avenue, including a cul-de-sac bulb meeting current city standards for the termination of Woodland Prairie Avenue. Also dedicate appropriate right-of-way for a total of 51 feet adjacent to this site for Warm Meadows Street and a 15-foot radius on the southeast corner of Woodland Prairie Avenue and Warm Meadows Street prior to the issuance of any permits.
6. Construct full width street improvements on Woodland Prairie Avenue, including a cul-de-sac bulb for the terminus of Woodland Prairie Avenue and construct half street improvements on Warm Meadows Street adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 5 – ZON-1490

CONDITIONS – Continued:

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 5 – ZON-1490

CONDITIONS – Continued:

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved Drainage Plan/Study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
9. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - VAR-1733 - ALEXANDER MACKOVSKI -
Request for a Variance TO ALLOW NO OPEN SPACE WHERE 12,200 SQUARE FEET OF OPEN SPACE IS REQUIRED for a 16-lot single family development on 2.65 acres adjacent to the east side of Warm Meadows Street, approximately 340 feet south of Alexander Road (APN: 138-09-101-011), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation], [PROPOSED: R-PD6 (Residential Planned Development - 6 Units per Acre)], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

60

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI - APPROVED subject to conditions and additional condition to determine a reasonable contribution by the developer to the development of facilities on the park site in the adjacent North Shore neighborhood with exact amount to be determined prior to approval of this Variance by the City Council - UNANIMOUS with McSWAIN abstaining as the applicant is a client of her firm

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESEDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 6 - VAR-1733

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated this Variance has changed because originally there were 16 lots and now there are 13 lots. They would have needed 12,200 square feet and now they need 9,343 square feet. There is no exterior landscaping. The cul-de-sac will be a public street. A homeowners association is being required for the maintenance of private streets, perimeter landscaping and open space, but this application has none of those. This is the last remnant piece that surrounds North Shore. Those areas were not required to provide open space, so this development should be treated the same. Staff recommended approval subject to the conditions.

ALEXANDER MACKOVSKI, 7745 Maggie Belle Court, appeared on behalf of the application.

PHILLIP MACKOVSKI, 7755 Maggie Belle Court, appeared in order to represent the application.

TODD FARLOW, 240 North 19th Street, appeared in approval.

KENT FITZPATRICK, 3901 Cool Meadows Drive, appeared in approval.

COMMISSIONER QUINN commented that a basketball court would not cost more than \$20,000.

There was no further discussion.

CHAIRMAN TRUEDELL declared the Public Hearing closed.

NOTE: See related Item 5 [ZON-1490] and Item 7 [SDR-1734] for further discussion.

(7:36 – 8:18)

1-3183

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning [ZON-1490] and Site Development Plan Review [SDR-1734].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SDR-1734 - ALEXANDER MACKOVSKI -

Request for a Site Development Plan Review and a Waiver of the Perimeter Landscape Requirement and to eliminate the requirement for a Homeowner's Association FOR A PROPOSED 16-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 2.50 acres adjacent to the east side of Warm Meadows Street, approximately 340 feet south of Alexander Road (APN: 138-09-101-011), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation], [PROPOSED: R-PD6 (Residential Planned Development - 6 Units per Acre)], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

60

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI - APPROVED subject to conditions with application amended to 13 lots - UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that Condition 5 incorporates the agreement between the neighbors and applicant into one condition.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 7 – SDR-1734

MINUTES – Continued:

ALEXANDER MACKOVSKI, 7745 Maggie Belle Court, appeared on behalf of the application.

PHILLIP MACKOVSKI, 7755 Maggie Belle Court, appeared in order to represent the application.

TODD FARLOW, 240 North 19th Street, appeared in approval.

KENT FITZPATRICK, 3901 Cool Meadows Drive, appeared in approval.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 5 [ZON-1490] and Item 6 [VAR-1733] for further discussion.
(7:36 – 8:18)

1-3183

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-1490] to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District approved by the City Council.
2. A Variance [VAR-1733] from the open space standards of the Code approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. The development shall include the features agreed to with the adjacent neighborhood association.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 7 – SDR-1734

CONDITIONS – Continued:

6. The standards for this development shall include the following: minimum front setback of 20 feet, minimum rear setback of 20 feet, minimum distance between buildings of 10 feet, minimum corner side setback of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed street layout and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.
14. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1490 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - ZON-1564 - ALBERT & EILEEN MASSI ET AL ON BEHALF OF DISTINCTIVE HOMES - Request for a Rezoning FROM: R-A (Ranch Acres) and U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 15.00 acres adjacent to the northeast corner of El Capitan Way and Horse Drive (APN: 125-08-604-001 through 005), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO - APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated this item was held in abeyance at the 2/13/2003 Planning Commission meeting in order for the applicant to meet with the neighbors, which has been done. Since that time this project has been redesigned. There are still 30 lots, but the old subdivision had a series of cul-de-sacs. This subdivision has one street that is a "race track" design that goes through the entire site.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 8 – ZON-1564

MINUTES – Continued:

Also, the size of the lots has changed. South of Horse Drive there are some R-PD2 and R-PD4 zoned properties. The applicant and neighbors worked out that the southern tier of lots that back up to Horse Drive will be a minimum of 12,000 square feet in area. Lots 21 through 33 will be a minimum of 15,000 square feet in the middle of the subdivision. The lots along the north and east portion of the site will be a minimum of a half-acre and a minimum of 20,000 square feet where they back up to larger lots. Along the north property line will be a three-foot wide storm sewer 36 inches wide, which will not be a part of any lot. It will act as open space for the development. Staff recommended approval subject to the conditions.

TONY MUSSO, Distinctive Homes, 2500 West Sahara Avenue, appeared on behalf of the application. Initially they did not realize the dynamics of this neighborhood and decided they would invite the adjacent neighbors to attend a neighborhood meeting. At that meeting a number of concerns were raised.

The neighbors asked about the timetable of the construction. The neighbors were advised that prior to any vertical construction a perimeter block wall would be installed around the project and the streetscape landscaping would be completed on Horse Drive and El Capitan Way. Another concern of the neighbors was the perimeter wall design. It was agreed that there would be an eight foot high perimeter wall along the north and east side boundaries of the project which would be decorative block with a contrasting coarse of split face and contrasting coarse of footed block. It would be gold block and similar to the recently constructed wall at 8640 Horse Drive, which abuts this property on the southeast corner. Another concern of the homeowners was drainage. There is a storm drain on El Capitan Way to Guy Avenue through a drainage easement at the rear of Lots 15 through 19. The drainage easement has been changed to be a common lot dedicated to the City of Las Vegas and privately maintained by the homeowners association for an emergency overflow drainage between the project boundary and perimeter wall consisting of rock and 24 inch box evergreen trees 30 feet on-center. A fourth concern was traffic access flow and control. It was agreed to have the access only on El Capitan Way.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 8 – ZON-1564

MINUTES – Continued:

The fifth concern was on-site lighting. There will be one coach light on each side of the garage. In addition, the neighbors wanted all 20,000 square foot minimum lots. It was finally agreed to have a minimum of 20,000 square foot lots along the north and east boundaries of the property and in lieu of the open space the center lots would be a minimum of 15,000 square feet. The farther apart the houses will be would not diminish the existing homeowners view and eliminate the open space. On Lots 9 through 13 there would be a casita with a 30-foot minimum rear setback and a five-foot minimum side setback. Lots 1 through 8 and 20 through 30 would have a five-foot minimum rear setback and five-foot minimum side setback. Lots 12 through 19 will be single story homes. The residents adjacent to Lots 9, 10 and 11 have accepted an option for single or two story houses. They will include in the CC&R's the language of what "residential agriculture" means so anyone purchasing a house in this development would understand that the adjacent properties could raise animals.

Another concern of the neighbors was the R-PD2 zoning, but that is in conjunction with the Site Development Plan Review. There will be a landscape buffer between the project site and adjacent properties along the north boundary. Those property owners asked for a buffer. Originally there was going to be an underground storm drain. Therefore, they have requested Condition 3 under the Vacation be a common lot overflow drainage swale with rock and 24-inch box evergreen trees 30 feet on center. The neighbors also requested that the purchase price of the land be renegotiated to accommodate all 20,000 square foot lots, but that is not feasible.

TODD FARLOW, 240 North 19th Street, appeared in approval. He worked for TONY MUSSO years ago and confirmed that he builds a beautiful product and has a great deal of integrity. There is a trail on Horse Drive on the south side of the street so that is unaffected by this development. The trail on El Capitan Way is on the west side and this property is on the east side so that is not affected either.

LOUIS VLAHOS, 8640 Horse Drive, appeared in approval. This is a good plan and will beautify the neighborhood.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 8 – ZON-1564

MINUTES – Continued:

B. J. SHAFFER, 8620 North El Capitan Way, appeared in approval. The applicant seemed to be very cooperative, but she still has several issues in regard to this project. Her first issue was the sequence of construction events as to when they would install a block wall. She wants a block wall built all around the property prior to construction. In addition, she wants all single story houses.

LILLIAN SYLVIA, 8575 Homestead Road, appeared in approval. She wants to see this project developed with all one-story homes. At the neighborhood meeting it was agreed that Lots 10 through 20 would be single story houses and Lots 12 through 20 would be two-story houses. She wanted to know what is going to happen with the water when it comes down the swale and ends at Steifel Street and Guy Avenue. MR. MUSSO said they will comply with the requirements of the County Flood Control.

RICK SYLVIA, 8575 Homestead Road, appeared in approval. He wants single story houses on the north and east sides of the subject property. Also, he wondered if Guy Avenue will be vacated.

MR. MUSSO responded that they have no intention of vacating Guy Avenue, unless a portion of a little knuckle. The neighbors did not object to Lots 9, 10 and 11 having two story homes. However, the market will dictate whether they could build single story homes on those lots.

DONNA MILLER, 8620 North El Capitan Way, appeared in approval. This is a nice project. This is an agricultural neighborhood. Prior to construction, the wall should encompass the property. Lots 1, and 10 through 30 should be single story inasmuch as they butt up to agriculture properties. The neighbors would prefer pine trees rather than Mondale trees on the lots that back up to Horse Drive

LOUISE RUSKAMP, 8500 Log Cabin Way, appeared in approval. The neighbors have come to a consensus on the changes to this project. She requested that the block walls be decorative on all sides.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 8 – ZON-1564

MINUTES – Continued:

DALE MACOFEY, 8500 Homestead Road, appeared in approval. He prefers this project to be developed with all single story houses. When he moved into this neighborhood he knew there were horses. Also, he wants to keep his view and two story houses sometimes block the views. He was especially concerned about Lot 9 and the adjacent lots up to Guy Avenue as to how far back they would sit off Horse Drive.

COMMISSIONER McSWAIN was under the impression there was an open space at the entrance. MR. MUSSO said there is a six-foot wide landscape area. It was deeper but then they made the lots bigger.

COMMISSIONER McSWAIN liked the project. There is a flavor that is lost when a project is fenced all the way around. The landscaping on the outside will mitigate the block wall. She wondered if the houses could be single story from Lots 10 through 30 since they join the rural properties.

UNIDENTIFIED GENTLEMAN representing the application said they left an option that Lots 9, 10 and 11 be single story houses. Single story houses are more popular.

COMMISSIONER McSWAIN asked the setbacks for the 12,000 square foot lots. UNIDENTIFIED GENTLEMAN said they would be 25 feet in the front, 30 feet in the rear, 10 feet on the side on the primary structure, and 5 feet to the casita.

MR. MUSSO added that the single story houses have a bigger footprint of 60 feet deep. The single story houses will be within 35 feet of the rear property line. The two story houses are approximately 40 feet deep, so in the back of the house there would be 55 feet.

COMMISSIONER McSWAIN asked if there will be any significant elevation changes. UNIDENTIFIED GENTLEMAN said they will be providing a drainage easement through Lot 9 which has allowed the elevation on that side of the project to be lowered and the wall height limited.

COMMISSIONER QUINN felt this is a good project. The Flood Control Division will dictate where the water will end. He wondered if the neighbors would accept a temporary fence during construction. MR. MUSSO said they prefer to put the wall up for security purposes. There will be enough room to maneuver their equipment during construction.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 8 – ZON-1564

MINUTES – Continued:

COMMISSIONER NIGRO commented that he supports this application. He agreed to the two story option adjacent to the properties that do not have an issue with it.

BART ANDERSON, Public Works, said that the drainage easements shown look good, but it is unknown if they will still be there until the Drainage Study is completed. MR. MUSSO agreed that the Drainage Study needs to occur.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 9 [VAR-1565], Item 10 [SDR-1566] and Item 40 [VAC-1764] for further discussion.

(8:18 – 8:57)
2-1150

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. An Order of Vacation for all right-of-way in conflict with this development must record prior to recordation of a Final Map overlying or adjacent to the areas to be vacated.
4. Dedicate 40 feet of right-of-way adjacent to this site for El Capitan Way, 30 feet for Horse Drive (where such does not exist), appropriate right-of-way for an “elbow” corner at Four Views Street (aka Steifel Street) and Guy Avenue, and a 20 foot radius at the northeast corner of El Capitan Way and Horse Drive prior to the issuance of any permits.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 8 – ZON-1564

CONDITIONS –Continued:

5. Construct all half-street improvements on El Capitan Way and Horse Drive adjacent to this site and construct half-street improvements including appropriate overpaving on Guy Avenue adjacent to this site concurrent with development of this site. Also Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Extend public sewer to the northern edge of this site to a location and at a depth acceptable to the City Engineer concurrent with development of this site. Appropriate public sewer easements shall be provided or retained for all public sewers not located within existing public right-of-way.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 8 – ZON-1564

CONDITIONS – Continued:

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved Drainage Plan/Study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - VAR-1565 - ALBERT & EILEEN MASSI ET AL ON BEHALF OF DISTINCTIVE HOMES - Request for a Variance TO ALLOW ZERO SQUARE FEET OF OPEN SPACE WHERE 21,167 SQUARE FEET IS REQUIRED on 15.00 acres adjacent to the northeast corner of El Capitan Way and Horse Drive (APN: 125-08-604-001 through 005), R-A (Ranch Acres) and U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation], [PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO - APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated in lieu of open space there will be enhanced landscape buffers along the perimeter of the project. In the meeting with the neighbors, it is staff's understanding that they felt that would be a fair trade to have the half-acre lots bound on the north and east sides and larger lots bound the property.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 9 – VAR-1565

MINUTES – Continued:

TONY MUSSO, Distinctive Homes, 2500 West Sahara Avenue, appeared on behalf of the application.

TODD FARLOW, 240 North 19th Street, appeared in approval.

LOUIS VLAHOS, 8640 Horse Drive, appeared in approval.

B. J. SHAFFER, 8620 North El Capitan Way, appeared in approval.

LILLIAN SYLVIA, 8575 Homestead Road, appeared in approval.

RICK SYLVIA, 8575 Homestead Road, appeared in approval.

DONNA MILLER, 8620 North El Capitan Way, appeared in approval.

LOUISE RUSKAMP, 8500 Log Cabin Way, appeared in approval.

DALE MACOFEY, 8500 Homestead Road, appeared in approval.

UNIDENTIFIED GENTLEMAN appeared representing the application.

BART ANDERSON, Public Works, spoke on the drainage issue.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 8 [ZON-1564], Item 10 [SDR-1566] and Item 40 [VAC-1764] for further discussion.

(8:18 – 8:57)

2-1150

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning [ZON-1564] and Site Development Plan Review [SDR-1566].

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SDR-1566 - ALBERT & EILEEN MASSI ET AL ON BEHALF OF DISTINCTIVE HOMES - Request for a Site Development Plan Review FOR A PROPOSED 30-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 15.00 acres adjacent to the northeast corner of El Capitan Way and Horse Drive (APN: 125-08-604-001 through 005), R-A (Ranch Acres) and U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation], [PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO - APPROVED subject to conditions with additional conditions as indicated in 3/3/2003 letter that was submitted to staff - **UNANIMOUS**

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated there will be a casita option and there are setbacks allowed for that option. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 10 – SDR-1566

MINUTES – Continued:

TONY MUSSO, Distinctive Homes, 2500 West Sahara Avenue, appeared on behalf of the application.

TODD FARLOW, 240 North 19th Street, appeared in approval.

LOUIS VLAHOS, 8640 Horse Drive, appeared in approval.

B. J. SHAFFER, 8620 North El Capitan Way, appeared in approval.

LILLIAN SYLVIA, 8575 Homestead Road, appeared in approval.

RICK SYLVIA, 8575 Homestead Road, appeared in approval.

DONNA MILLER, 8620 North El Capitan Way, appeared in approval.

LOUISE RUSKAMP, 8500 Log Cabin Way, appeared in approval.

DALE MACOFEY, 8500 Homestead Road, appeared in approval.

UNIDENTIFIED GENTLEMAN appeared representing the application.

BART ANDERSON, Public Works, spoke on the drainage issue.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 8 [ZON-1564], Item 9 [VAR-1565] and Item 40 [VAC-1764] for further discussion.

(8:18 – 8:57)

2-1150

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-1564] to a R-PD2 (Residential Planned Development – 2 Units per Acre) Zoning District and a Variance [VAR-1565] for open space shall be approved by the City Council.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 10 – SDR-1566

CONDITIONS – Continued:

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum lot size of 20,000 square feet for lots along the north and a portion of the east property lines, 15,000 square feet for internal lots, and 12,000 square feet for lots adjacent to Horse Drive, with a minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 25 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 10 feet on the side, 15 feet on the corner side, and 30 feet in the rear.
6. All perimeter landscaping shall reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters as required by the Las Vegas Urban Design Guidelines and Standards.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Air conditioning units shall not be mounted on rooftops.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 10 – SDR-1566

CONDITIONS – Continued:

Public Works

12. Provide an elbow at the intersection of Guy Avenue and Stiefel Street.
13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed street layout and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.
14. A Master Streetlight Plan of public street lights for the entire subdivision shall be submitted to and approved by the Department of Public Works prior to the submittal of construction drawings for this site.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1564 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - ZON-1699 - EL DURANGO, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF PERMA-BILT HOMES - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 5.0 acres adjacent to the south side of Gilcrease Avenue, approximately 330 feet west of Grand Canyon Drive (APN:125-18-201-003), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI - APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that at the last meeting a Major Modification to the Grand Teton Village Master Plan was approved. Items 11, 12 and 13 were held in abeyance so staff could continue to work with the applicant. This rezoning is perfunctory so the Plan Development zoning of PD (Planned Development) conforms to the plan. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 11 – ZON-1699

MINUTES – Continued:

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. He concurred with the conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 12 [SDR-1702] and Item 13 [SDR-1705] for further discussion.

(8:57 – 9:04)

2-2775

CONDITIONS:

Planning and Development

1. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

2. Dedicate 30 feet for Gilcrease Avenue adjacent to this site and appropriate right-of-way on Donald Nelson Avenue in accordance with the proposed site plan.
3. Construct half-street improvements including appropriate overpaving, if legally able on Gilcrease Avenue and Donald Nelson Avenue adjacent to this site concurrent with development of this site. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 11 – ZON-1699

CONDITIONS – Continued:

4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved Drainage Plan/Study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SDR-1702 - EL DURANGO, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF PERMA-BILT HOMES - Request for a Site Development Plan Review FOR A PROPOSED 111-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 25.8 acres adjacent to the southwest corner of Grand Canyon Drive and Gilcrease Avenue (a portion of APN: 125-18-201-001 and 125-18-201-002, 003, 004, 005 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) and U (Undeveloped) Zones [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI - APPROVED subject to conditions with an additional condition as follows: -

- The Master Developer shall be required to enter into a Development Agreement with the City of Las Vegas prior to any building permits being issued in the Grand Teton Master Plan area.

- UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 12 – SDR-1702

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated this Site Development Plan reflects the changes that were made as part of the Major Modification to the Grand Teton Village Master Plan. This development consists of 111 lots on 25 acres on the southwest corner of Grand Canyon Drive and Gilcrease Avenue. This development was to have .46 acres of open space and they are providing .38. There will be an apartment complex on Parcel A and they will be required to meet the open space criteria. After these two site plans are approved, there is only one other project that has to come before the Planning Commission to get Site Development Plan approval. They will be required to meet the open space standard. Therefore, when those projects come in, the 3.88 acres of open space will be exceeded as required by the Grand Teton Plan. In addition, Parcel F is a park site that is currently owned by the Bureau of Land Management, but the Master Developer will have to develop it for all of the Grand Teton Village. He requested a condition be added as follows: *The Master Developer shall be required to enter into a Development Agreement with the City of Las Vegas prior to any building permits being issued in the Grand Teton Master Plan area.* The Development Agreement will have all the details as to how the park will be developed and how the open space will be allocated. Staff recommended approval subject to the conditions.

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. He concurred with the conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 11 [ZON-1699] and Item 13 [SDR-1705] for further discussion.

(8:57 – 9:04)

2-2775

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-1699] to a PD (Planned Development) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 12 – SDR-1702

CONDITIONS – Continued:

3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The setbacks for this development shall be a minimum of 12 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.
5. The Major Modification [MOD-1730] must be approved by the City Council including the condition allowing alternative methods for addressing the open space requirements.
6. The landscape plan shall reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line walls shall comply with section 3.6 of the Grand Teton Village Master Development Plan and Design Standards. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 12 – SDR-1702

CONDITIONS – Continued:

13. All City Code requirements and design standards of all City departments and as outlined in the Grand Teton Village Master Plan and Design Standards must be satisfied.

Public Works

14. Submit a Petition of Vacation to vacate the existing portion of Donald Nelson Avenue in conflict with the overall design of this site. Said Petition of Vacation must record prior to the recordation of a Final Map overlying or abutting the area to be vacated.
15. Dedicate 40 feet of right-of-way adjacent to this site for Farm Road, 30 feet for Donald Nelson Avenue including the right-of-way needed for a knuckle where Donald Nelson Avenue turns south, 40 feet for Grand Canyon Drive where not already dedicated, 30 feet for Gilcrease Avenue where not already dedicated, and a 25 foot radius on the northwest corner of Farm Road and Grand Canyon Drive.
16. Construct half-street improvements including appropriate overpaving, if legally able on Farm Road, Grand Canyon Drive, Gilcrease Avenue, and Donald Nelson Avenue adjacent to this site concurrent with development of this site. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
17. Extend public sewer line to the west edge of this site in Farm Road at a size, depth, and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 12 – SDR-1702

CONDITIONS – Continued:

18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 12 – SDR-1702

CONDITIONS – Continued:

19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved Drainage Plan/Study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
20. Meet with the Clark County School District to discuss the provision of pedestrian access points between this site and the abutting school site.
21. Site development to comply with all applicable conditions of approval for ZON-1699, Z-0014-02, and all other subsequent site-related actions.
22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SDR-1705 - EL DURANGO, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF PERMA-BILT HOMES - Request for a Site Development Plan Review FOR A PROPOSED 59-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 15.40 acres adjacent to the northeast corner of Farm Road and Hualapai Way (APN: 125-18-201-006, 007 and a portion of 125-18-201-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation under Resolution of Intent to PD (Planned Development), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI - APPROVED subject to conditions with an additional condition as follows: -

- The Master Developer shall be required to enter into a Development Agreement with the City of Las Vegas prior to any building permits being issued in the Grand Teton Master Plan area.

- UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated this application is for a 58-lot subdivision on the northeast corner of Farm Road and Hualapai Way. The Grand Teton Village Master Plan requires a total of 3.88 acres of open space throughout all of that area. Both sites are a little deficient in open space. On this property there was to be .78 acre and they are providing .76 acre. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 13 – SDR-1705

MINUTES – Continued:

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. He concurred with the conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 11 [ZON-1699] and Item 12 [SDR-1702] for further discussion.

(8:57 – 9:04)

2-2775

CONDITIONS:

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The setbacks for this development shall be a minimum of 12 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.
4. The Major Modification [MOD-1730] must be approved by the City Council including the condition allowing alternative methods for addressing the open space requirements.
5. The landscape plan shall reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 13 – SDR-1705

CONDITIONS – Continued:

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Any property line wall shall comply with section 3.6 of the Grand Teton Village Master Development Plan and Design Standards. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Dedicate 40 feet for Farm Road, 30 feet for the unnamed north/south street along the east side of this site, and up to 60 feet of right-of-way, as determined by Public Works, adjacent to this site for Hualapai Way. Dedicate a 54 foot radius on the northeast corner of Hualapai Way and Farm Road and a 20 foot radius at the northwest corner of Farm Road and the unnamed north/south street. Final right-of-way requirements to be determined at the time of approval of Tentative Map.
14. Construct half-street improvements including appropriate overpaving, if legally able, on Hualapai Way, Farm Road, and the unnamed north/south street adjacent to this site concurrent with development of this site. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 13 – SDR-1705

CONDITIONS – Continued:

15. Extend public sewer in Farm Road to Hualapai Way at a size, depth, and location acceptable to the City Engineer concurrent with development of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and overall layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Entrances shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 13 – SDR-1705

CONDITIONS – Continued:

18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved Drainage Plan/Study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
19. Site development to comply with all applicable conditions of approval for Z-0014-02 and all other subsequent site-related actions.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
21. Meet with the Clark County School District to discuss the provision of pedestrian access points between this site and the abutting school site.
22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - RENOTIFICATION - ZON-1726 - BUREAU OF LAND MANAGEMENT ON BEHALF OF STANPARK CONSTRUCTION COMPANY - Request for a Rezoning FROM: U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] TO: R-PD8 (Residential Planned Development - 8 Units Per Acre) on 10.0 acres adjacent to the northeast corner of Grand Canyon Drive and Gilcrease Avenue (APN: 125-18-501-007), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated Items 14 and 15 were held in abeyance at the last meeting due to the northwest charette that the Department of Public Works conducted to examine the location of rights-of-way of several streets in the northwest area of the city. The outcome of the charette did not have any impact on this development, so it has not changed since the last time it was on the agenda. This is an 81-lot subdivision. There is a 46,371 square foot open space area. This is in the interlocal area between the city and county. Notices were sent to the property owners and no responses were received.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 14 – ZON-1726

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, said on Map 2 on the trail alignments there is a trail that runs on a diagonal that looks like it runs close to this property. He asked if this project would be affected.

MR. CLAPSADDLE responded that the trail system has been examined and there are no trails that need to be allocated for this project.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 15 [SDR-1729] for further discussion.

(9:04 – 9:08)

1-3180

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Grand Canyon Drive, 30 feet for Gilcrease Avenue and a 20 foot radius at the northeast corner of Gilcrease Avenue and Grand Canyon Drive prior to the issuance of any permits.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 14 – ZON-1726

CONDITIONS – Continued:

4. Construct half-street improvements including appropriate overpaving on Gilcrease Avenue and Grand Canyon Drive (if legally able) adjacent to this site concurrent with development of this site. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development. Install all appurtenant underground facilities, if any, adjacent to this site needed for future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Extend public sewer in Gilcrease Avenue to the west edge of this development to a location, depth and alignment acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Master Streetlight Plan of public street lights for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 14 – ZON-1726

CONDITIONS – Continued:

Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved Drainage Plan/Study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - RENOTIFICATION - SDR-1729 - BUREAU OF LAND MANAGEMENT ON BEHALF OF STANPARK CONSTRUCTION COMPANY -

Request for a Site Development Plan Review FOR A PROPOSED 81-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 10.0 acres adjacent to the northeast corner of Grand Canyon Drive and Gilcrease Avenue (APN: 125-18-501-007), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] [PROPOSED: R-PD8 (Residential Planned Development - 8 Units Per Acre)], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the typical lot size is 3,150 square feet, which meets the site plan. There are no waivers associated with this R-PD. Staff recommended approval subject to the conditions.

TODD FARLOW, 240 North 19th Street, appeared in regard to the trails.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 15 – SDR-1729

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 14 [ZON-1726] for further discussion.

(9:04 – 9:08)

1-3399

CONDITIONS:

Planning and Development

1. Approval of the Rezoning application [ZON-1726] to R-PD8 (Residential Planned Development – 8 Units Per Acre) zoning district on this site.
2. All driveways shall be a minimum of 18 feet wide to provide a minimum of two on-site parking spaces for each single-family dwelling.
3. The setbacks for this development shall be a minimum of 18 feet to the garage, 14 feet to the front of the house, 10 feet on the corner side, 5 feet on the side and 10 feet in the rear. The front setbacks are to be measured from the back of the sidewalk where a sidewalk is provided otherwise it will be measured from the back of curb.
4. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
5. The maximum building height allowed shall not exceed 2 stories or 35 feet.
6. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 15 – SDR-1729

CONDITIONS – Continued:

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1726 and all other subsequent site-related actions.
16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SDR-1667 - JANICE KRONICK GATH ON BEHALF OF CONCORDIA HOMES - Request for a Site Development Plan Review FOR A PROPOSED 24-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 5.50 acres adjacent to the south side of Stange Avenue, approximately 660 feet west of Cliff Shadows Parkway (APN: 137-01-201-013), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES - APPROVED subject to conditions with Condition 4 amended as follows: -

- All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein, including widening the access path to the open space area from 10 feet to 20 feet.

- UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 16 – SDR-1667

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated this application was held in abeyance at the last meeting to allow staff and the applicant time to work out some issues. The major issue was that there was no access to the open space from the lots on the east side of the cul-de-sac. Between Lots 7 and 8 there is a 10-foot wide access out to the cul-de-sac so all the residents will have access to the open space and park on the northwest portion of the site. There is a substantial grade difference on this site where the open space will be located. Staff will see the grading plan when the Tentative Map is submitted. At that time staff will make sure that the open space is accessible and useable. Staff recommended approval subject to the conditions.

ROBYN HOGAN, Concordia Homes, 980 American Pacific Drive, Suite 100, Henderson, Nevada, appeared in order to represent the application. She concurred with the conditions.

TODD FARLOW, 240 North 19th Street, said he is concerned about the access to the open space. It appears that will be a private playground for about seven or eight homes.

COMMISSIONER GALATI commented that he did not feel the ten-foot access is wide enough to let persons know the open space is useable.

CHAIRMAN TRUESDELL agreed that the access to the open space is too narrow.

MS. HOGAN responded that the pathway between Lots 7 and 8 could be increased to between 15 and 20 feet by restricting some of the lots to a smaller floor plan.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:08 – 9:13)

2-3399

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 16 – SDR-1667

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-1666] to a PD (Planned Development) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The applicant shall work with the master developer to determine the proportionate share of the cost of provision of infrastructure and services.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. The setbacks for this development shall be a minimum of 15 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side and 10 feet in the rear.
6. The maximum building height shall be 2 stories or 35 feet, whichever is less.
7. The applicant shall contribute \$42,570.00 to partially support the development cost of Park #2 within the Lone Mountain West Master Plan Area unless an alternate development plan for Park #2 has been submitted to and recommended for approval by the Park Development Team. All appropriate written agreements and/or Master Plan amendments must be reviewed by the Planning and Development and Public Works Departments and approved by City Council prior to the revision or elimination of the payment requirement first noted above. If cash payment is made, such shall be collected by the Land Development Section prior to the issuance of any permits or release of a Final Map related to this site whichever may occur first. It is acknowledged that a different contribution amount may be decided upon when implementation of the Master Plan is resolved to be mutually acceptable within the terms of the Plan. If a developer-managed park construction effort is allowed by the revised Master Plan, a performance bond must be presented to the City prior to the issuance of any permits or release of a Final Map whichever may occur first.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 16 – SDR-1667

CONDITIONS – Continued:

8. A revised landscape plan shall be submitted for review and approval prior to submittal of any building permits for this site. The revised plan shall demonstrate compliance with the Lone Mountain West Development Plan plant palette and Urban Design Guidelines and Standards.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall comply with section 3.6 of the Lone Mountain West Master Development Plan and Design Standards. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. The walls bordering the access path to the open space area shall have at least the upper 50% of the walls built using wrought iron, to give the path an open and secure feeling.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and overall layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Entrances shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 16 – SDR-1667

CONDITIONS – Continued:

15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Site development to comply with all applicable conditions of approval for ZON-1666 and all other subsequent site-related actions.
17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ZON-1718 - NEVADA HOMES GROUP, INC. - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: R-PD6 (Residential Planned Development – 6 Units Per Acre) on 8.02 Acres adjacent to the east side of Durango Drive, approximately 340 feet north of Grand Teton Drive (APN: 125-09-401-005, 013 and 014), PROPOSED USE: Single Family Residential Development, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions – UNANIMOUS with NIGRO abstaining as the law firm representing this application represents his firm

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated this subdivision is now 48 lots instead of 50 lots due to changes made by the applicant. The R-PD6 (Residential Planned Development – 6 Units per Acre) is in conformance with the PCD (Planned Community Development), which allows up to eight units per acre. There are no waivers associated with this RPD. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 17 – ZON-1718

MINUTES – Continued:

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared in order to represent the applicant. They have lost some lots in order to get the density under six units per acre. There are seven lots to the west with four lots to the east and feel they have a nice fit in the middle.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 18 [SDR-1719] for further discussion.
(9:13 – 9:17)

3-10

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application [SDR-1719] approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Submit a Petition of Vacation for Butler Street where in conflict with this site plan. Dedicate, provide dedication or provide easement rights for a cul-de-sac turnaround meeting current City Standards at the termination of Butler Street prior to recordation of an Order of Vacation for Butler Street. Such Order of Vacation shall record prior to the recordation of a Final Map overlying or adjacent to the area to be vacated. If said Petition of cannot record for any reason this site plan shall be redesigned to acknowledge the dedication and development of Butler Street.
4. Dedicate an additional 20 feet of right-of-way for a total half-street width of 50 feet on Durango Drive adjacent to this site.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 17 – ZON-1718

CONDITIONS – Continued:

5. Construct half-street improvements including appropriate overpaving on Durango Drive adjacent to this site; also, if not already in place at the time of development, construct widened paving extending southward on Durango Drive to Grand Teton Drive concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Construct a public sewer line to this site at a size, depth, and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 17 – ZON-1718

CONDITIONS – Continued:

8. Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved Drainage Plan/Study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1719 - NEVADA HOMES GROUP, INC. - Request for a Site Development Plan Review FOR A PROPOSED 50-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 8.02 acres adjacent to the east side of Durango Drive, approximately 340 feet north of Grand Teton Drive (APN: 125-09-401-005, 013 and 014), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD6 (Residential Planned Development –0 6 Units Per Acre)] Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions with Condition 1 amended as follows: -

- A Rezoning [ZON-1718] to an R-PD6 (Residential Planned Development – 6 Units per Acre) Zoning District to allow development of 48 lots shall be approved by the City Council.

- UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 18 – SDR-1719

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated this request meets the parking and open space requirements. The minimum lot size is 4,050 square feet. There will be 39-foot wide private streets. There is a 35-foot wide multi-use equestrian trail along Durango Drive and a 25-foot wide trail along the south property line that is required. Staff recommended approval subject to the conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 17 [ZON-1718] for further discussion.

(9:13 – 9:17)

3-10

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-1718] to a R-PD6 (Residential Planned Development – 6 Units per Acre) Zoning District shall be approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to provide an amenity plan for the open space area within the development and to plant minimum 24-inch box Mondale Pines and Modesto Ash (or similar trees), spaced thirty feet on center within the 20-foot wide open space strip at the south property line.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 18 – SDR-1719

CONDITIONS – Continued:

5. All perimeter landscaping shall reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters as required by the Las Vegas Urban Design Guidelines and Standards.
6. The required multi-use transportation trail and equestrian trail required along the east side of Durango Drive shall be constructed to meet the requirements of the Transportation Trails Element and the Recreation Trails Element, particularly with those standards illustrated in Exhibit 3 of the Recreation Trails Element.
7. The standards for this development shall include the following: minimum lot size of 4,050 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
8. The setbacks for this development shall be a minimum of 20 feet to the front of the garage, 14 feet to the front of the house/side-loaded garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. Air conditioning units shall not be mounted on rooftops.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 18 – SDR-1719

CONDITIONS –Continued:

Public Works

14. Meet with the Collection Systems Planning Section of the Department of Public Works to determine appropriate alignments to provide public sewer service to this site prior to the submittal of sewer related construction drawings for this site. Not all parts of this site will be able to obtain gravity public sewer to Durango Drive. Provide or obtain public sewer easements where necessary to provide public sewer to service this site.
15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The entrance shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. Site development to comply with all applicable conditions of approval for ZON-1718 and all other subsequent site-related actions.
18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ZON-1761 - EL DURANGO, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF KIMBALL HILL HOMES - Request for a Rezoning FROM: U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] TO: R-PD6 (Residential Planned Development - 6 Units per Acre) on 15.3 acres adjacent to the northeast corner of Grand Canyon Drive and Farm Road (APN: 125-18-601-006, 007, 008 and portion of 125-18-601-001), PROPOSED: Single Family Development, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated the R-PD6 (Residential Planned Development - 6 Units per Acre) is in conformance with the Low Density Residential land use designation. The proposed rezoning is bounded to the west, east and south by land that is designated between 3.49 and 5.5 units per acre with land to the north designated for a school. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 19 – ZON-1761

MINUTES – Continued:

CHRIS ARAMBULA, Tetra Tech Engineering, 401 North Buffalo Drive, Suite 100, appeared on behalf of Kimball Hill Homes. He concurred with staff's conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESELLE declared the Public Hearing closed.

NOTE: See related Item 20 [SDR-1762] for further discussion.

(9:17 – 9:20)

3-122

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application [SDR-1762] approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 30 feet of right-of-way adjacent to this site for Donald Nelson Avenue, where such currently does not exist, 40 feet for Grand Canyon Drive, 40 feet for Farm Road, where such does not currently exist, and dedicate a 20 foot radius on the southeast corner of Donald Nelson Avenue and Grand Canyon Drive and a 25 foot radius at the northeast corner of Grand Canyon Drive and Farm Road.
4. Construct half-street improvements including appropriate overpaving, if legally able, on Grand Canyon Drive, Farm Road, and Donald Nelson Avenue adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 19 – ZON-1761

CONDITIONS – Continued:

5. Extend public sewer in Farm Road to the west edge of this development to a location, depth and alignment acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 19 – ZON-1761

CONDITIONS – Continued:

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved Drainage Plan/Study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1762 - EL DURANGO, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF KIMBALL HILL HOMES - Request for a Site Development Plan Review FOR A PROPOSED 91-LOT SINGLE FAMILY DEVELOPMENT on 15.3 acres adjacent to the northeast corner of Grand Canyon Drive and Farm Road (APN: 125-18-601-006, 007, 008 and portion of 125-18-601-001), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], [PROPOSED: R-PD6 (Residential Planned Development - 6 Unit per Acre)], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated the intent is to have 37 and 39-foot wide private streets. There is a gated entry from Farm Road. The majority of the lots are designed to "Z" lots, which have a five-foot offstep. The lots range in size from 4,000 to 4,800 square feet. The open space and perimeter landscaping meets the standards, including a park space slightly open of 50,000 square feet. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 20 – SDR-1762

MINUTES – Continued:

CHRIS ARAMBULA, Tetra Tech Engineering, 401 North Buffalo Drive, Suite 100, appeared on behalf of Kimball Hill Homes.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 19 [SDR-1761] for further discussion.

(9:17 – 9:20)

3-122

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-1761] to an R-PD6 (Residential Planned Development - 6 Units per Acre) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 20 – SDR-1762

CONDITIONS – Continued:

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Submit a Petition of Vacation for the unnamed street adjacent to the east side of Assessor Parcel Number 125-18-601-006, such Vacation Application shall be approved by the City Council prior to the submittal of a Final Map overlying the area to be vacated and the Order of Vacation shall record prior to the recordation of a Final Map.
14. Grant a Traffic Signal Chord Easement at the northeast corner of Grand Canyon Drive and Farm Road adjacent to or overlying the area to be vacated.
15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The entrance shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 20 – SDR-1762

CONDITIONS – Continued:

16. A Master Streetlight Plan of public street lights for the entire subdivision shall be submitted to and approved by the Department of Public Works prior to the submittal of construction drawings for this site.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Site development to comply with all applicable conditions of approval for ZON-1761 and all other subsequent site-related actions.
20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ZON-1766 - KIMBALL T. STRATTON ON BEHALF OF RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] TO: R-PD4 (Residential Planned Development - 4 Units per Acre) on 15.04 acres adjacent to southeast corner of Cimarron Road and Racel Street (APN: 125-09-801-001), PROPOSED USE: Single Family Development, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions with Condition 4 amended as follows: -

- Construct half-street improvements, including appropriate overpaving, on Racel Street to match the curbline of improvements adjacent to the Stone Mountain subdivision to the east, and construct half-street improvements, including appropriate overpaving on Cimarron Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All unimproved right-of-way on Racel Street shall be landscaped and maintained by the Homeowner's Association and an Encroachment Agreement shall be submitted for all landscaping and private improvements located in the Racel Street public right-of-way adjacent to this site prior to construction of any improvements within the right-of-way.

- UNANIMOUS with McSWAIN abstaining as her firm is under contract with Richmond American Homes of Nevada, Inc. and NIGRO abstaining as the law firm representing this applicant is also the firm that represents his firm

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 21 – ZON-1766

MOTION – Continued:

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated the R-PD4 (Residential Planned Development - 4 Units per Acre) is in conformance with the PCD (Planned Community Development) land use designation. The residential development being proposed is logical and expected in this area of the Centennial Hills Sector. Staff recommended approval subject to the conditions.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared on behalf of Richmond American Homes of Nevada, Inc. He clarified Condition 3 by indicating that it requires a 40-foot half-street width on Racel Street but they will only be required to construct 30 feet of the half-street improvements and the remainder 10 feet would be subject to an Encroachment Agreement with the City of Las Vegas.

BART ANDERSON, Public Works, added that the City would like to see a continuation of the existing curb line that is on the Stone Mountain subdivision immediately to the east, which is 30 feet. He requested Condition 4 be amended to indicate that the developer should construct half-street improvements matching those on the subdivision to the east and all rights-of-way not improved, subject to an Encroachment Agreement, and landscaped and maintained by the homeowners association.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 22 [SDR-1767] for further discussion.

(9:20 – 9:27)

3-215

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 21 – ZON-1766

MINUTES – Continued:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application [SDR-1767] approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 40 feet on Racel Street adjacent to this site. Also dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southeast corner of Racel Street and Cimarron Road.
4. Construct half-street improvements including appropriate overpaving on Racel Street and Cimarron Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 21 – ZON-1766

CONDITIONS – Continued:

rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved Drainage Plan/Study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
7. Grant a Traffic Signal Chord Easement at the southeast corner of Racel Street and Cimarron Road prior to the issuance of any building or grading permits for this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1767 - KIMBALL T. STRATTON ON BEHALF OF RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request for a Site Development Plan Review FOR A PROPOSED 59-LOT SINGLE FAMILY DEVELOPMENT on 15.04 acres adjacent to southeast corner of Cimarron Road and Racel Street (APN: 125-09-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], [PROPOSED: R-PD4 (Residential Planned Development - 4 Units per Acre)], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions with Condition 6 amended as follows:

- The setbacks for this development shall be a minimum of 20 feet to the front of the garage, 15 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear. For lots fronting onto cul-de-sac bulbs, these standards are reduced to 18 feet to the front of the garage and 12 feet to the front of the house.

- UNANIMOUS with McSWAIN abstaining as her firm is under contract with Richmond American Homes of Nevada, Inc. and NIGRO abstaining as the law firm representing this applicant is also the firm that represents his firm

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 22 – SDR-1767

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated there will be 59 single family lots with a gated entry from Cimarron Road. The internal streets will be private and 39 feet wide. The lot sizes range from 5,000 to just under 14,000 square feet with an average size of 6,000 square feet. The density is 3.9 units per acre. There is a drainage channel and 14,000 square feet of open space at the north end of this site along Racel Street. Staff would like to have a modification to Condition 6 regarding the setbacks for the lots that actually have frontage on the bulbs of the cul-de-sacs by reducing the front setback to the garage from 20 to 18 feet and to the front of the house from 15 to 12 feet. Staff recommended approval subject to the conditions.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared on behalf of Richmond American Homes of Nevada, Inc. He concurred with the conditions.

TODD FARLOW, 240 North 19th Street, asked if there will be adequate access to the open space.

ATTORNEY GRONAUER responded that there is a 50-foot wide drainage channel. Farther to the west of that channel there is access to the park. He would be willing to work with staff to find out what the distance is and put something in there that is adequate.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 21 [ZON-1766] for further discussion.
(9:20 – 9:27)

3-215

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-1766] to a R-PD4 (Residential Planned Development – 4 Units per Acre) Zoning District shall be approved by the City Council.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 22 – SDR-1767

CONDITIONS – Continued:

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to provide a (pedestrian access) from the development through the open space to Racel Street.
4. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
5. The standards for this development shall include the following: minimum lot size of 5,000 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 feet to the front of the garage, 15 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
7. All perimeter landscaping shall reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters as required by the Las Vegas Urban Design Guidelines and Standards.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Air conditioning units shall not be mounted on rooftops.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 22 – SDR-1767

CONDITIONS – Continued:

12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The entrance shall be designed, located and constructed in accordance with Standard Drawing #222A.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. Site development to comply with all applicable conditions of approval for ZON-1766 and all other subsequent site-related actions.
16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ZON-1773 - ANTHONY MOSLEY ON BEHALF OF GOD IN ME MINISTRY - Request for a Rezoning FROM: R-2 (Medium-Low Density Residential) Zone TO: C-V (Civic) Zone on approximately 0.48 acres located at 845, 851 and 857 Hassell Avenue and 856 Hart Avenue (APN: 139-21-612-016, 017, 018 and 030), PROPOSED USE: RESCUE MISSION, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

7

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

9

RECOMMENDATION:

Staff recommends TABLE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Applicant's Written Text

MOTION:

GOYNES - DENIED – Motion carried with EVANS voting NO

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL responded that he will bring this item forward after the Housekeeping and Consent items are heard.

MARGO WHEELER, Planning and Development, stated after CHAIRMAN TRUESDELL called this item forward that this application originally was for a trailer lot rezoning. Subsequently, the uses that the applicant wishes to perpetuate on this property would not be able to be done with the proposed rezoning. Therefore, staff is recommending approval of the rezoning of the 851 Hassell Avenue property only. That is the lot where church uses will be allowed.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 23 – ZON-1773

MINUTES – Continued:

The changes to the conditions of approval would be the deletion of Condition 1 and have it read: *The application shall establish C-V (Civic) zoning for 851 Hassell Avenue only.* She also requested Condition 2 be amended so that the use be limited to a church, house of worship, as defined in Title 19.20. The property shall not be used as a homeless shelter nor any on-site sleeping allowed or other similar use.

ANTHONY MOSLEY, Director, KENT HARMON, Director of Security, LEE GORDON, Public Relations, STEVE LEVIN, Office Manager, MELVIN KESSLER, Chaplain, God In Me Ministry, 5904 Jerry Drive appeared on behalf of the application. MR. MOSLEY said they met with City staff in MAYOR GOODMAN'S office who advised them that the City made a mistake and the C-V (Civic) zoning would not suit their needs. They would not be allowed to have anyone sleep at the facility overnight, nor accommodate a transitional or rescue mission/shelter. The City Attorney advised them that there was no law or zone they could rezone to that would allow them to stay in their current R-2 (Medium-Low Density Residential) designated location. They would have no choice but to move to a C-2, C-M or M zone because they are classed as a rescue mission/shelter. They were told they could drop three of their buildings without prejudice and rezone 851 Hassell Avenue to C-V (Civic), which would allow them to keep their office and church open. They were unable to obtain professional legal counsel and therefore accept staff's recommendations. MAYOR GOODMAN told them they were real and not just a group with their hand out. He told them he would assist them in getting legal counsel and had a person that could help them with another facility in C-2, C-M or M zones, but did not want to bring that person in under this confusion. He agreed to delete 845, 857 Hassell Avenue and 856 Hart Avenue from this application. This facility should be outside the City and County jurisdiction with many amenities to rebuild pride, self-esteem and honor. **He submitted his written text to the Clerk.**

PASTOR JOHNSON, Missionary Baptist Church, 862 Hassell Avenue, appeared in protest.

CHAPLAIN JACQUELINE JOHNSON, 2213 Kaplin Way, appeared in protest. Her mother lives next door to the subject property. She did not feel this is a ministry. The neighborhood is drug infested. This is not fair to the residents that have lived in the neighborhood for many years. She felt there are persons at this meeting whom she has never seen around that facility.

ARTHUR BECKER appeared in protest and said he lives across the street from these properties. There is a lack of parking on these sites and they oftentimes block his driveway. This is a

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 23 – ZON-1773

MINUTES – Continued:

residential area.

PATRICIA PRICE appeared in approval. She has been a homeless advocate for over thirty years. God In Me Ministry has been in existence for 27 years. They have gotten individuals off the streets that were into drugs, alcohol, and gambling and gotten them back into society.

BROTHER DAVID BUHR, Franciscan, appeared in approval of allowing 851 Hassell Avenue. He knows the neighborhood very well and has been at God In Me Ministry many times. No place is perfect. They are definitely a place of faith. This is not a shelter for the homeless, but a transitional house. Clark County Social Workers refer persons to this ministry. The City has been making it more difficult for the homeless.

JOSEPH JORDAN appeared in approval. He became homeless and subsequently ill in the hospital, but was told he should go to God In Me Ministry for assistance.

WILLIAM PATCHOVICH appeared in approval. There are individuals that want to get back on their feet. He stays at this ministry. There are shelters in Las Vegas that do not give the residents any assistance so they can get back into society.

BEATRICE TURNER, West Las Vegas, appeared in protest. She was told this item would be tabled, which is the reason there are not a lot of residents from the neighborhood attending this meeting. Years ago this ministry was run by BROTHER JOE and was a completely different organization. Perhaps this ministry should go to Summerlin or Green Valley. The person running the ministry does not live there and is not a part of the community. The people who go to this ministry do not have their backgrounds checked.

GARY NORRIS, resident of God In Me Ministry, appeared in approval. He was told about this ministry from TOM MCGOWAN. Since he has been there he has seen that they are helping homeless persons.

JESSIE BUSH, 1137 Hassell Avenue, appeared in protest. He objected to having most of these types of businesses placed on the near west side of Las Vegas because there are homeless individuals in other parts of the valley. There are at least 70 churches in the community, as well as many liquor stores. He does not know the backgrounds of the individuals patronizing this ministry. He has brought himself up out of poverty. He invited the Commissioners to visit the area.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 23 – ZON-1773

MINUTES – Continued:

TOM McGOWAN, resident of Las Vegas, appeared in approval. He has been homeless. The job of the Planning Commission is to serve all types of citizens.

LES BARBER, Karen Avenue, appeared in approval. He has assisted the persons running this ministry and respects them very much. The persons attending this ministry have problems and need assistance.

MARK McCLUSE, 851 Hassell Avenue, appeared in approval. He was referred to this ministry from the church he attends and is staying there. He invited the Commissioners to go to the ministry.

LEE GORDON, 851 Hassell Avenue, appeared in approval. He works in Public Relations at God In Me Ministry and helps people get jobs. He attends meetings in the community to invite persons to come and observe what is taking place at this ministry.

STEVE FABRETTI, District Superintendent of Pentecostal Evangelical Church, and President of J&S Ministries, appeared in approval. He has gone to this house and watched the type of help they are giving the individuals. People need to work together in Las Vegas.

EVIE KENNY appeared in approval. There is a lot of crime in her neighborhood. These individuals have asked for help and abide by the rules of the facility. This facility has been going on for 14 years at this location. Some of the residents of this ministry are veterans who are having trouble adjusting to society. There are no criminals at this ministry.

MR. MOSLEY appeared in rebuttal. They will be moving, but would like to have the building at 851 Hassell Avenue rezoned to C-V (Civic) for an office and Bible study. He understands that no one would be allowed to sleep in the building. They are in the process of downsizing the number of men and moving to another zone.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 23 – ZON-1773

MINUTES – Continued:

CITY ATTORNEY BRAD JERBIC added that there have been several meetings in regard to this request. The applicant has an application that involves several parcels, but wants the application to only apply to 851 Hassell Avenue. This request was approached as to how this facility can be made legitimate at this location. Under the City's code a shelter or rescue mission needs to be in a C-2, C-M or M zone. In addition, there needs to be a Special Use Permit, license and inspectors. If this ministry would remain in this area, there would need to be a General Plan Amendment. To change the General Plan and zoning would be spot zoning and illegal. That is the reason this request has been reduced to C-V (Civic).

COMMISSIONER EVANS commented that a good way to worship is to provide shelter for people. It sounds like this is a successful program. He did not see a problem with operating an office and Bible study in this facility. He hopes the City will use their resources to find a new location for this ministry.

COMMISSIONER GOYNES said this application goes back to the Board of Zoning Adjustment meetings in January and February of 1993 when he was on that board and voted to deny this request. He does not support these types of uses because they don't depict what a neighborhood is supposed to be. Primarily in black neighborhoods they take going to church very seriously. Neighborhoods are made up of persons who have lived there a long time and made investments into their property. His vision of a neighborhood is persons conversing with each other. He objects to grown men congregating in front of houses. This needs to be placed in the proper zone.

COMMISSIONER GALATI felt MR. McGOWAN inferred that the Commissioners are against homeless people, which is not the case. This is a land use decision, not whether the Commissioners support or object to homeless persons. He asked when they have church services.

MR. MOSLEY responded that they have Bible study two days a week and chapel on Thursdays. A lot of individuals are dropped off with their vans and vehicles where they can attend church and get food. After they downsize they will only have about 16 individuals on the property and about another 16 persons will be coming to Bible study and chapel. They have not received money from anyone. He has invested his own money in this facility. This ministry is open to everyone, as well as those who are members of the church.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 23 – ZON-1773

MINUTES – Continued:

COMMISSIONER GALATI said that his architectural firm has been involved in many similar projects. In all the cases it was about the neighbors wanting the facility. He does not see in his backup where it indicates this facility has the right to continue this operation irregardless of the fact they have been there a long time. He feels this facility is in the wrong location.

COMMISSIONER McSWAIN was troubled by the fact that this topic creates so much bitterness. This ministry does not seem to be serving the neighborhood and the area needs more residential properties.

COMMISSIONER NIGRO said he is familiar with this area. The area is ripe for improvement, but he does not think the shelter component is advantageous. This is the wrong location for this type of use.

COMMISSIONER QUINN felt the God In Me Ministry is doing a wonderful job, but is in the wrong area. The neighbors told him they object to men milling around.

CHAIRMAN TRUESDELL emphasized that this is a land use issue, not whether the Commissioners are concerned about the homeless or churches. This is a facility between houses. Having several men living in a 1,000 square foot home with one restroom is objectionable.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:11 – 7:23)

1-276

MEETING RECESSED FROM 7:23 P.M TO 7:36 P.M.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1749 - DONALD BRADY ON BEHALF OF LAMAR OUTDOOR ADVERTISING - Request for a Variance TO ALLOW A 75-FOOT TALL OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 50 FEET IS THE MAXIMUM HEIGHT PERMITTED at 2600 Westwood Drive (APN: 162-09-110-005), M (Industrial) Zone, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – ABEYANCE of Item 24 [var-1749] and Item 25 [SUP-1748] to the 4/10/2003 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN TRUEDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested Item 24 and Item 25 be held in abeyance until the 4/10/2003 Planning Commission meeting. Between now and 4/10/2003 the City Council will be hearing another item for a billboard within 300 feet of this proposed billboard. If the City Council passes that item, then this billboard will not be in conformance with the code and very likely not be on the agenda.

SCOTT NEFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, requested this item be held to the 4/10/2003 Planning Commission meeting.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 24 – VAR-1749

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 24 [VAR-1749] and Item 25 [SUP-1749] was held under Item 24 [VAR-1749].

(6:06 – 6:08)

1-110

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SUP-1748 - DONALD BRADY ON BEHALF OF LAMAR OUTDOOR ADVERTISING - Request for a Special Use Permit FOR A PROPOSED 75-FOOT TALL, 14-FOOT BY 48-FOOT, OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2600 Westwood Drive (APN: 162-09-110-005), M (Industrial) Zone, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – ABEYANCE to the 4/10/2003 Planning Commission meeting - UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested Item 24 and Item 25 be held in abeyance until the 4/10/2003 Planning Commission meeting.

SCOTT NEFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, requested this item be held to the 4/10/2003 Planning Commission meeting.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 25 – SUP-1749

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 24 [VAR-1749] and Item 25 [SUP-1749] was held under Item 24 [VAR-1749].

(6:06 – 6:08)

1-110

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1743 - BALLARD FAMILY TRUST - Request for a Variance TO ALLOW A THREE FOOT SIDE SETBACK WHERE FIVE FEET IS MINIMUM REQUIRED FOR A PROPOSED ADDITION on 0.14 acres at 2716 Port of Call Drive (APN: 138-16-314-011), R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
- 4.

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with TRUESELL not voting

To be heard by the City Council on 4/16/2003.

MINUTES:

VICE CHAIRMAN QUINN declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated the applicant wishes to construct an addition to a single family home that includes a four foot section that is intended for storage. That section encroaches two feet into the required five-foot side setback. A storage area increases the floor area of the main structure and cannot be considered as an architectural feature, which would have been allowed at three feet by Title 19. There is no evidence of a hardship. There is adequate space on the lot so that the addition could be constructed under the requirements of the code. Staff recommended denial.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 26 – VAR-1743

MINUTES – Continued:

BRUCE BALLARD, 2716 Port of Call Drive, said he moved to Las Vegas from California. He wants to enclose a covered patio and has gotten approval from the homeowners association, pending approval by the City. In order to try to eliminate a storage rental of \$100.00 per month he would like this inside storage space added onto the house. He lives on a fixed income. Both adjacent neighbors approved of this request. There will be eight feet between this addition and his neighbor's house. There are items in storage that need to be air conditioned. The addition will have the appearance of the rest of the house.

TODD FARLOW, 240 North 19th Street, felt there needs to be letters from the neighbors indicating their approval.

MR. BALLARD said he was unaware that letters were needed.

No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN QUINN declared the Public Hearing closed.

(9:27 – 9:33)

3-445

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning [Z-0043-87].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1744 - RENEE CRUZ - Request for a Variance TO ALLOW A PROPOSED CARPORT TWO FEET SIX INCHES FROM THE FRONT YARD SETBACK WHERE TWENTY FEET IS THE MINIMUM REQUIRED on 0.13 acres at 1026 Wengert Avenue (APN: 162-03-611-014), R-1 (Single Family Residential), Ward 3 (Reese).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to condition - UNANIMOUS

This is final action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated the applicant's original request was for a Variance to allow a proposed carport 10 feet from the front yard setback, where the minimum requirement is 20 feet. Upon investigation it was found that Wengert Avenue is unpaved for substantial portions. This proposed carport would be 2-feet 6 inches from the front property line, not 10-feet. The applicant states the carport is necessary to protect her automobile from the damaging effects of the sun, and the fact she suffers from unspecified health problems that excessive heat would exacerbate and present a personal hardship. The building had a garage prior to the current owners occupancy of the house, which has been converted to living space. Staff recommended denial.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 27 - VAR-1744

MINUTES – Continued:

MARY CRUZ, 1026 Wengert Avenue, appeared in order to represent her mother. She requested a Variance on a proposed carport 2-feet 6 inches from the front yard setback.

REGINA CRUZ, 1026 Wengert Avenue, appeared in order to represent her mother. A carport is needed because the summertime is so hot and her Mother has high blood pressure. The carport would be located on the left-hand side of the property and would beautify the neighborhood. The Variance would only be for a couple of inches.

EVAN ACKER HYDE, 1030 Wengert Avenue, appeared in approval. There are several other carports on this street. RENEE CRUZ takes excellent care of the home, but has health problems.

COMMISSIONER McSWAIN thanked the neighbor for speaking in support of the applicant.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:37 – 9:41)

3-775

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1746 - JESUS DORAME - Request for a Variance TO ALLOW AN EXISTING CARPORT A 0.3 FEET SIDE YARD SETBACK WHERE FIVE FEET IS THE MINIMUM REQUIRED AND TO ALLOW A DETACHED ACCESSORY STRUCTURE ONE FOOT FROM THE SIDE PROPERTY LINE WHERE THREE FEET IS THE MINIMUM REQUIRED on 0.17 acres at 1615 Chapman Drive (APN: 162-02-116-021), R-1 (Single Family Residential) Zone, Ward 3 (Reese).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN – APPROVED subject to condition - UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this application is to allow two existing structures, which were built without the benefit of permits, to encroach into required setback areas on residential property. There is a carport on the east side of the dwelling, which connects to an existing wall on the side property line. The detached accessory shed is one foot from the same property line. There is no evidence of a unique or extraordinary circumstance. The applicant failed to research the proper code requirements and obtain the necessary permits. The carport is unnecessarily wide and could have been scaled back to meet the five-foot setback requirement without going all the way to the property line. The shed could be easily located on the rear of the property. Staff recommended denial.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 28 – VAR-1746

MINUTES – Continued:

JESUS DORAME, 1615 Chapman Drive, appeared in order to request a Variance for the carport.

TODD FARLOW, 240 N. 19th Street, said he objected to persons building structures without permits. The only way to stop this is to have the owner demolish the carport and rebuild it.

LUCIO LOPEZ, 1625 Chapman Drive, appeared in support. He lives three houses away and does not mind the carport and request for an accessory structure.

BERNABE MARURE, 1618 Chapman Drive, appeared in opposition of the carport. He lives across the street.

COMMISSIONER McSWAIN asked if the house next door has a five-foot setback on their carport. MR. LEOBOLD replied that the posts are close to five feet away. There might be a slight intrusion by the roof into that area.

COMMISSIONER McSWAIN felt that the applicant shows pride of ownership and has neighbors in support. Therefore, she moved to approve the Variance.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:33 – 9:37)

3-630

CONDITION:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1753 - ALLEN TELES REVOCABLE TRUST ON BEHALF OF JOSEPH MILLER - Request for a Variance TO ALLOW A SIX-FOOT TALL SOLID BLOCK WALL WITH SEVEN-FOOT TALL COLUMNS IN THE FRONT YARD SETBACK WHERE FOUR FEET WITH THE TOP TWO VERTICAL FEET FIFTY PERCENT OPEN IS THE MAXIMUM ALLOWED on 0.99 acres at 3011 Pinto Lane (APN: 139-32-305-001), R-A (Ranch Acres), Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

4

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Letters in Approval Submitted At Meeting

MOTION:

GOYNES - DENIED – Motion for Denial resulted in a tie vote with GALATI, McSWAIN and NIGRO voting NO and QUINN abstaining

NOTE: There was a previous motion by McSWAIN for Approval subject to the conditions that resulted in a tie vote with EVANS, GOYNES and TRUESDELL voting NO and QUINN abstaining

This is final action.

NOTE: CHAIRMAN TRUESDELL disclosed that the law firm of Jones Vargas has done legal work for him recently, but not at the present time.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 29 – VAR-1753

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated this project is being developed on a large lot that is 300 feet in the front by 150 feet in depth. The applicant has indicated that the project will provide for security and privacy on this site. It will link the existing planting scheme of large palm trees that exist on the site and will mirror a similar wall across the street on the north side of Pinto Lane. High front yard walls are inappropriate in most residential settings, but the size and shape of the lot in this case means that privacy would be difficult to obtain with a lower wall and there is an existing pattern of walls in the general area of this type. There is a condition to ensure that the wall is decorative. Staff recommended approval subject to the conditions.

ATTORNEY ED GARCIA, Jones Vargas, 3773 Howard Hughes Parkway, appeared on behalf of the applicant. He has letters in support from the five surrounding property owners. The application would allow a wall that is similar to the other walls in the area. Directly across the street is a six-foot high block wall that is identical to what is being proposed. He concurred with the conditions.

No one appeared in opposition.

COMMISSIONER QUINN said he has received a half dozen telephone calls in opposition. He has an eight-foot high wall in front of his property, but it is located on a busy thoroughfare. He felt this high wall would distract from this neighborhood.

ATTORNEY GARCIA responded that there is a block wall on the property across the street that extends the entire length of that property. The adjacent neighbor has a six-foot high block wall for a major portion of the frontage of their property. Along the entire length of Pinto Lane this is the only lot that is situated lengthwise and does not have any privacy.

MR. LEOBOLD clarified that the property across the street extends from the corner on Campbell Drive to the tennis court under the letter “Y.” The main building for that property is the large building directly to the north of the subject site on Alta Drive.

COMMISSIONER McSWAIN felt that because of the way the lot sits and the fact that there is a precedent set in this neighborhood for walls and trees creating a wall effect she would be in favor of this request.

COMMISSIONER QUINN does not want to see CMU walls going down the street with no landscaping.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 29 – VAR-1753

MINUTES – Continued:

COMMISSIONER GOYNES thought the character of the street is country style with no sidewalks and open front. Pinto Lane seems like a showcase street and should remain the same.

CHAIRMAN TRUESDELL felt that even with walls along Pinto Lane, the feel is ranch style. He can understand high walls on Rancho Drive and a portion of Alta Drive where there is heavy traffic.

COMMISSIONER GALATI could support this request if there was something to screen, but the way this house is situated there are some walls to separate the back of the house. He noted that the pool is hidden. He received six calls from the neighbors and did not feel comfortable approving this request.

ATTORNEY GARCIA emphasized that there is currently no wall in front of the applicant's property. **He submitted five letters in approval to the Clerk.**

COMMISSIONER GALATI did not feel he could still support this request, but was willing to hold the item in abeyance to allow the applicant time to meet with the neighbors.

SANDY MILLER, Allen Teles Revocable Trust, 3011 Pinto Lane, appeared as the property owner. He met with all the immediate neighbors who could be impacted by this wall. Only one neighbor was opposed. Looking down Pinto Lane the property across the street consists of a 12 acre parcel and the wall that is seen is in the back of that property. A Variance was issued for that wall. He thought that the neighbor in opposition is the one that has a very secluded house. On his side of the street there is an adjacent wall about seven feet tall that is covered with ivy. His property is totally open. The next property has the same wall and ivy. This request is not inconsistent with what is in the neighborhood. His neighbors' lots run deep and his lot has 300 feet of road frontage whereas his neighbors have about a hundred feet of frontage. Those neighbors can build a house on the front of their lot and have a private back yard, but that is not the case with his house. He plans to enhance the landscaping and there are some water issues, so his insurance company will not insure him if the public cannot be kept out. He could understand this request being denied if his property were located farther down Pinto Lane.

TODD FARLOW, 240 North 19th Street, asked if there is a trail along Pinto Lane. MR. MILLER answered that there is a bridle path. This request will not affect that trail.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 29 – VAR-1753

MINUTES – Continued:

MR. LEOBOLD did not think there is a formally adopted trail link as per the trails plan on Pinto Lane.

COMMISSIONER NIGRO said he supports the applicant's request. This is a privacy and security issue. He felt this wall will be aesthetically pleasing.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:41 – 10:02)

3-933

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1763 - MOVING FORWARD, INC. - Request for a Variance TO ALLOW 45 PARKING SPACES WHERE 61 PARKING SPACES ARE THE MINIMUM REQUIRED on 2 acres adjacent to the south side Smoke Ranch Road, between Avery Drive and Steinke Lane (APN: 138-23-110-034), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – Motion carried with TRUESDELL voting NO

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated the Site Development Plan Review for the project on this site was heard by the Planning Commission on 1/23/2003. It was passed onto the City Council with no recommendation. On 2/2/2003 the City Council approved site plan, SDR-1385, and waivers for a 10,000 square foot retail building on this site. Condition 1 of the approval was to seek the Variance on this agenda. There is no evidence of a unique or extra-

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 30 - VAR-1763

MINUTES – Continued:

ordinary circumstance. It is merely a case of having overbuilt the site. A smaller retail building is an alternative to this request and would be in conformance with Title 19. The applicant may have designed the building in conformance with the former parking code of one parking space for 250 square feet of retail. However, the standard for a smaller commercial site like this has been one space for 175 square feet, hence the shortage in parking. Staff recommended denial.

TIM AYALA, 4600 Sunset Road, appeared on behalf of the applicant. This is a different site plan than what was approved. There will be hard landscaping in the rear of the property and increased landscaping in the front by five feet. They met with the neighbors, who were in approval, but do not want to have the building on the property line. Therefore, they moved the building five feet forward and put the hard landscaping in the rear.

GARY ROTEN, 2344 Steinke Lane, appeared in approval. He would like to see something done in the back for security. There is a parking problem there already. He doesn't want his driveway blocked.

TODD FARLOW, 240 North 19th Street, felt this is an improvement over their previous proposal. He wondered if there would be doors in the back.

COMMISSIONER GALATI clarified that this application is only for a Parking Variance. The design changes are not pertinent to this application. He wanted the applicant to be on notice that if he applies for a Special Use Permit for a beauty salon, etc. as a tenant, it will not be feasible because of the parking shortage. Therefore, he should seek approval from the City prior to signing a lease.

COMMISSIONER TRUESDELL said he did not support this original site design because he felt it was overbuilt and still believes there will be a parking shortage. Therefore, he is unable to support this Variance.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:02 – 10:09)

3-1773

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 30 – VAR-1763

CONDITIONS – Continued:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-1385].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1772 - JAMES BURCHARD ON BEHALF OF PLASTER DEVELOPMENT - Request for a Variance TO ALLOW A 40-INCH TALL EXISTING RETAINING WALL IN THE FRONT YARD WHERE A 24-INCH TALL RETAINING WALL IS THE MAXIMUM ALLOWED on 0.26 acres located at 7726 Villa Gabriela Avenue (125-09-812-009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units per Acre), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI - APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining as he sits on a Board with **MR. PLASTER** and **McSWAIN** abstaining as **MR. PLASTER** is a client of her firm

To be heard by the City Council on 4/16/2003.

MINUTES:

VICE CHAIRMAN QUINN declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this retaining wall is on a sloping property. At the western end of the wall it is about one foot high and at the eastern end it is 3' 4". The average height of the wall is about 26", which puts it 2 inches higher than the allowable height for such a retaining wall. The exceptionable topographic conditions on this site and with a stepback wall on the adjacent property demonstrates a hardship. Construction of the wall is necessary to maintain the slope of the land in that area. The detrimental effects of construction are minimal, only two inches over the average. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 31 – VAR-1772

MINUTES – Continued:

DEAN RASMUSSEN, 3068 East Sunset Road, appeared on behalf of the applicant. He concurred with the conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:09 – 10:12)

3-1990

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning [Z-0008-98] and Review of Condition [Z-0008-98(1)].
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1885 - THE ASTORIA CORPORATION - Request for a Variance TO ALLOW 5.68 ACRES OF OPEN SPACE WHERE TOWN CENTER DEVELOPMENT STANDARDS REQUIRE 8.13 ACRES for a proposed 493-lot single family development on 47 acres adjacent to the southeast corner of Fort Apache Road and Farm Road (APN: 125-17-301-001), T-C (Town Center) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – ABEYANCE of Item 32, Item 33 and Item 34 to the 4/10/2003 Planning Commission meeting – UNANIMOUS

NOTE: COMMISSIONER McSWAIN disclosed that she may abstain when this item is heard as her firm is working on an Astoria Corporation project. However, she feels comfortable in voting on an abeyance motion. COMMISSIONER NIGRO disclosed he will voting on an abeyance motion, but will be abstaining as the law firm representing this item also represents his firm

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant would like to have these items held in abeyance until the 3/27/2003 Planning Commission meeting in order to work on the design of the project. Staff would like these items held in abeyance until the 4/10/2003 Planning Commission meeting. They would like to have adequate time to work out several issues with the applicant.

PLANNING COMMISSION MEETING OF APRIL 25, 2002

Planning & Development Department

Item 32 – VAR-1885

MINUTES – Continued:

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared in order to represent The Astoria Corporation. He did not object to holding these items until the 4/10/2003 Planning Commission meeting.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 32 [VAR-1885] Item 33 [SUP-1887] and Item 34 [SDR-1760] was held under Item 32 [VAR-1885].

(6:08 – 6:10)

1- 165

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SUP-1887 - THE ASTORIA CORPORATION - Request for a Special Use Permit FOR PRIVATE STREETS and a Waiver of the Town Center Development Standards Requirement to gate private streets for a proposed 493-lot single family development on 47 acres adjacent to the southeast corner of Fort Apache Road and Farm Road (APN: 125-17-301-001), T-C (Town Center) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – ABEYANCE of Item 32, Item 33 and Item 34 to the 4/10/2003 Planning Commission meeting – UNANIMOUS

NOTE: COMMISSIONER McSWAIN disclosed that she may abstain when this item is heard as her firm is working on an Astoria Corporation project. However, she feels comfortable in voting on an abeyance motion. COMMISSIONER NIGRO disclosed he will voting on an abeyance motion, but will be abstaining as the law firm representing this item also represents his firm

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 33 – SUP-1887

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated the applicant would like to have these items held in abeyance until the 3/27/2003 Planning Commission meeting in order to work on the design of the project. Staff would like these items held in abeyance until the 4/10/2003 Planning Commission meeting.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared in order to represent The Astoria Corporation. He agreed to the item being held to the 4/10/2003 Planning Commission meeting.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 32 [VAR-1885] Item 33 [SUP-1887] and Item 34 [SDR-1760] was held under Item 32 [VAR-1885].

(6:08 – 6:10)

1- 165

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1769 - THE ASTORIA CORPORATION - Request for a Site Development Plan Review; a Waiver of the Town Center Development Standards to amend the street section of Farm Road between Fort Apache Road and the Frontage Road; and a Waiver of the Subdivision Ordinance (Title 18.12.100) requirements to allow 31-foot wide private streets where 37-foot or 39-foot wide streets are the minimums required FOR A PROPOSED 493-LOT SINGLE FAMILY DEVELOPMENT on 47 acres adjacent to the southeast corner of Fort Apache Road and Farm Road (APN: 125-17-301-001), T-C (Town Center) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – ABEYANCE of Item 32, Item 33 and Item 34 to the 4/10/2003 Planning Commission meeting – UNANIMOUS

NOTE: COMMISSIONER McSWAIN disclosed that she may abstain when this item is heard as her firm is working on an Astoria Corporation project. However, she feels comfortable in voting on an abeyance motion. COMMISSIONER NIGRO disclosed he will voting on an abeyance motion, but will be abstaining as the firm representing this item also represents his firm

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 34 – SDR-1769

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated the applicant would like to have these items held in abeyance until the 3/27/2003 Planning Commission meeting in order to work on the design of the project. Staff would like these items held in abeyance until the 4/10/2003 Planning Commission meeting.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared in order to represent The Astoria Corporation. He did not object to holding these items until the 4/10/2003 Planning Commission meeting.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESEDELL declared the Public Hearing closed.

NOTE: All discussion for Item 32 [VAR-1885] Item 33 [SUP-1887] and Item 34 [SDR-1760] was held under Item 32 [VAR-1885].

(6:08 – 6:10)

1- 165

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SUP-1771 - MONTECITO TOWN CENTER ON BEHALF OF SBA HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED 36,000 SQUARE FOOT PRE-SCHOOL AND ELEMENTARY SCHOOL within Montecito Town Center on 4.90 acres adjacent to the north side of Montecito Parkway and the south side of Rome Boulevard (APNs:125-20-704-002, 003, 004, and 125-20-803-004), T-C (Town Center) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI - APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as the property on the north end of the notice area is owned by a principal in a company that his firm is negotiating leases with and NIGRO abstaining as the law firm representing this application also represents his firm

To be heard by the City Council on 4/16/2003.

MINUTES:

VICE CHAIRMAN QUINN declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this proposed school would be located in a portion of the Centennial Hills Town Center, which is governed by the Montecito Development Agreement. Under that agreement the development of a school requires the approval of a Special Use Permit where ancillary, pre-school and day care uses are permitted. The site is located within the Timberlake buffer area of the Montecito Agreement. That buffer is

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 35 – SUP-1771

MINUTES – Continued:

immediately west of the existing Timberlake neighborhood. The buffer area is structured in two pieces. There is a hundred foot strip that parallels the neighborhood immediately to the west of the neighborhood and then there is another 230-foot strip. The first hundred feet has to be either right-of-way or open space. The first 50 feet of that is old Durango Drive, which would be retained as access to the existing Timberlake neighborhood. The western 50 feet of that hundred foot strip is located within the subject site, but contains no portion of the building. This application required notification to a number of agencies as a result of it being a project of regional significance. The comments that were received were incorporated into the conditions of approval.

Because the Town Center Development Standards Manual in the Montecito Agreement require a Master Sign Plan, the site plan indicates one sign on the building. The Master Sign Plan will have to be reviewed by the Centennial Hills Architectural Review Committee and the City Council. Staff recommended approval subject to the conditions.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared in order to represent the applicant. This property is located between the Montecito Parkway, which is the Town Center loop road and old Durango Drive. Just east of old Durango Drive is the Timberlake neighborhood. This is a request for a private pre-school and elementary school. The pre-school will have approximately 130 children, while the elementary portion will be Kindergarten through 5th grade, two classes in each grade, with a total of 240 students. This is a good buffer for the Timberlake neighborhood.

A neighborhood meeting was held and the persons in attendance did not object to the school, but were concerned about the rear of the property. They objected to the access road that ran behind the property, which has been eliminated. The rear of the site now contains a landscape play area. There was a concern as to how old Durango Drive is ultimately going to be designed. It has a 50-foot right-of-way. The western 50 feet that was on the subject site has been vacated, so there is only 50 feet left in old Durango Drive. The City and the Timberlake Homeowners Association are looking at alternative designs for old Durango Drive. The neighbors' third concern was a landscape buffer on the outside of the wall at the rear of the subject property. The residents will soon be receiving proposals for the ultimate width of old Durango Drive. It is anticipated that old Durango Drive will be less than 50 feet wide, so this applicant will take whatever is left over, landscape it and have a pedestrian access.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 35 – SUP-1771

MINUTES – Continued:

MANUEL ARIAS, President of the Timberlake Homeowners Association, 8237 Fawn Heather Court, appeared in approval. The main problem is how old Durango Drive will be designed.

COMMISSIONER GALATI felt this is a good project. Therefore, he made a motion for approval subject to the conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 36 [SDR-1775] for further discussion.

(10:12 – 10:31)

3-2140

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for Child Care Center and Public or Private School, Primary uses.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-1775].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1775 - MONTECITO TOWN CENTER ON BEHALF OF SBA HOLDINGS LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Reduction of the On-Site Landscape Requirements FOR A PROPOSED 36,000 SQUARE FOOT PRE-SCHOOL AND ELEMENTARY SCHOOL on 4.90 acres adjacent to the north side of Montecito Parkway and the south side of Rome Boulevard (APNs:125-20-704-002, 003, 004, and 125-20-803-004), T-C (Town Center) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI - APPROVED subject to conditions with the following conditions amended:

Condition 2 add: *No waiver of landscaping standards shall be allowed;*

Condition 3: All development shall be in conformance with the site plan and building elevations, *but less than 60% street front façade*, except as amended by conditions herein;

Condition 17 to read: If not already constructed at time of development by the Master Developer, this site shall construct all half-street improvements adjacent to this site, *including the west edge of old Durango Drive*, and construct a minimum of two lanes of paved, legal access to this site concurrent with development.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 36 – SDR-1775

MOTION – Continued:

Condition 22: Landscape and maintain all unimproved rights-of-way on Montecito Parkway and old Durango Drive adjacent to this site;

Condition 23: Submit an Encroachment Agreement for all landscaping and private improvements located in the Montecito Parkway and old Durango Drive public rights-of-way adjacent to this site prior to occupancy of this site, to include landscape and maintain old Durango Drive.

– UNANIMOUS with TRUESELLE abstaining as the property on the north end of the notice area is owned by a principal in a company that his firm is negotiating leases with and NIGRO abstaining as the law firm representing this application also represents his firm

To be heard by the City Council on 4/16/2003.

MINUTES:

VICE CHAIRMAN QUINN declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this will be a 36,000 square foot one story school on a 4.9 acre site. It has been designed to have the parking area to the west of the building to keep the building in-between the parking and the Timberlake area to the east of the site. This project meets all the parking, landscaping, perimeter landscaping, and open space provisions and the street sections and trail requirements of the Town Center Design Standards Manual and the Zoning Code and the Montecito Agreement, with one exception, and that is the provision in the Town Center Development Standards Manual that requires 60% of the façade to be built to the setback line, which is 15 feet from the front property line. This waiver is acceptable, given the unusual shape of the site and the fact that the front lot line is curvilinear, and the need to keep the parking area in the front of the building away from the residential area to the rear of the site. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 36 – SDR-1775

MINUTES – Continued:

VICE CHAIRMAN QUINN asked Public Works how old Durango Drive is being designed. BART ANDERSON, Public Works, responded that currently there are four different proposals being discussed in Public Works. Those proposals will be condensed to two or three proposals, which will then be presented to Councilman Mack and the neighbors for their input. This applicant will have to construct whatever is ultimately approved. He suggested modifications to the following conditions. Condition 22: Landscape and maintain all unimproved rights-of-way on Montecito Parkway *and old Durango Drive adjacent to this site*. Condition 23: Submit an Encroachment Agreement for all landscaping and private improvements located in the Montecito Parkway *and old Durango Drive* public rights-of-way adjacent to this site prior to occupancy of this site, to include landscape and maintain old Durango Drive, and Condition 17: If not already constructed at time of development by the Master Developer, this site shall construct all half-street improvements adjacent to this site, *including the west edge of old Durango Drive*, and construct a minimum of two lanes of paved, legal access to this site concurrent with development.

MARGO WHEELER, Planning and Development, requested Condition 2 have added that *No waiver of landscaping standards shall be allowed*. Also, Condition 3 to read: All development shall be in conformance with the site plan and building elevations, *but less than 60% street front façade*, except as amended by conditions herein.

ATTORNEY AMICK clarified that there will be no streetlights on the applicant's half of the street, but will only construct curb and gutter.

MANUEL ARIAS, President of the Timberlake Homeowners Association, 8237 Fawn Heather Court, appeared in approval. The main problem is how old Durango Drive will be designed.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESELLE declared the Public Hearing closed.

NOTE: See related Item 35 [SUP-1771] for further discussion.

(10:12 – 10:31)

3-2140

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 36 – SDR-1775

MINUTES – Continued:

Planning and Development

1. A Special Use Permit [SUP-1771] to allow a “Public or Private School, Primary” use approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the location of the required loading zones.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.].
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 36 – SDR-1775

CONDITIONS – Continued:

10. A master signage plan shall be submitted to the Planning and Development Department for review and approval by the Centennial Hills Architectural Review Committee, prior to the issuance of any building permits for any building on the site.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. The Final Map for Montecito Town Center South must record prior to the issuance of any building or grading permits for this site.
16. Petitions of Vacation VAC-1185 and VAC-1187 must record prior to the issuance of any building or grading permits for this site.
17. If not already constructed at time of development by the Master Developer, this site shall construct all half-street improvements adjacent to this site and construct a minimum of two lanes of paved, legal access to this site concurrent with development.
18. Construct the full width of the northern driveway concurrent with development of this site.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 36 – SDR-1775

CONDITIONS – Continued:

19. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
21. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sewer in the old Durango Drive alignment to a depth and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
22. Landscape and maintain all unimproved rights-of-way on Montecito Parkway adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements located in the Montecito Parkway public right-of-way adjacent to this site prior to occupancy of this site.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 36 – SDR-1775

CONDITIONS – Continued:

24. An update to the Montecito Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
25. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved Drainage Plan/Study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1776 - LB LVTC II, LIMITED LIABILITY COMPANY ON BEHALF OF THOMAS & MACK DEVELOPMENT GROUP, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY OFFICE COMPLEX (TWO 35,800 SQUARE FOOT BUILDINGS) on 4.9 acres adjacent to the southwest corner of Trinity Peak Drive and Fire Mesa Street (APN: 138-15-410-026), C-PB (Planned Business Park) Zone, Ward 4 (Brown)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI - APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 4/16/2003.

NOTE: CHAIRMAN TRUESDELL disclosed that his firm manages the common areas in Tech Park 1, but that would not affect his ability to vote on this item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this project is part of the Las Vegas Technology Center. It consists of 71,600 square feet of office development divided into 2 two-story buildings. The buildings are oriented to the northeast corner of the site. Vehicular access is via Trinity Peak Drive and Fire Mesa Street. The building is approximately 40 feet in height. The site is designed in conformance with the overall Site Development Plan Review for Phase 2 of the Las Vegas Technology Center. The landscape plan indicates perimeter and parking lot landscaping that exceeds the requirements of Title 19 and the City's Urban Design Guidelines and Standards. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 37 – SDR-1776

MINUTES – Continued:

TOM HART, 7181 Amigo Street, appeared on behalf of the applicant. He concurred with the conditions and would like to move forward with the project.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 37 [SDR-1776] and Item 38 [SDR-1778] was held under Item 37 [SDR-1776].

(10:31 – 10:34)

3-3040

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. Landscape materials (trees and shrubs) shall meet the minimum requirements of the Las Vegas Urban Design Guidelines and Standards, which include 24-inch box tree planted 20-feet on center along all roadways, and planted 30-feet on center along all interior property lines. In addition, four 5-gallon shrubs shall be planted in addition to each 24-inch box tree.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 37 – SDR-1776

CONDITIONS – Continued:

6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 37 – SDR-1776

CONDITIONS- Continued:

15. An update to the previously approved master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved Drainage Plan/Study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1778 - LB LVTC II, LIMITED LIABILITY COMPANY ON BEHALF OF THOMAS & MACK DEVELOPMENT GROUP, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 23,000 SQUARE FOOT ONE-STORY OFFICE BUILDING on approximately 2.2 acres adjacent to the east side of Fire Mesa Street, approximately 660 feet south of Peak Drive (portion of APN: 138-15-310-023), C-PB (Planned Business Park) Zone, Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI - APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 4/16/2003.

NOTE: CHAIRMAN TRUESDELL disclosed that his firm manages the common areas in Tech Park 1, but that would not affect his ability to vote on this item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, gave the staff report under Item 37 [SDR-1776].

TOM HART, 7181 Amigo Street, appeared on behalf of the applicant.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 38 – SDR-1778

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 37 [SDR-1776] and Item 38 [SDR-1778] was held under Item 37 [SDR-1776].

(10:31 – 10:34)

3-3040

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. Landscape materials (trees and shrubs) shall meet the minimum requirements of the Las Vegas Urban Design Guidelines and Standards, which include tree and plant size.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 38 – SDR-1778

CONDITIONS – Continued:

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 38 – SDR-1778

CONDITIONS – Continued:

15. An update to the previously approved master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ROC-1770 - RICHARD AND BEATRICE STURMAN ON BEHALF OF STEVE YONO - Request for a Review of Condition #2 of an Approved Special Use Permit (U-0154-98) which prohibited the sale of individual containers of any size of beer, wine coolers or screw cap wine for an existing market (Fremont Family Market and Deli) on 0.15 acres at 611 Fremont Street, #20 (APN: 139-34-611-019), C-2 (General Commercial) Zone, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

McSWAIN - DENIED – Motion for Approval resulted in a tie vote with EVANS, GALATI and GOYNES voting NO and TRUESDELL abstaining as his office is within the notification area

NOTE: There was a previous motion by GOYNES for Denial that resulted in a tie vote with McSWAIN, NIGRO and QUINN voting NO and TRUESDELL abstaining as his office is within the notification area

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this site is located on East Fremont Street in the Las Vegas Downtown Centennial Plan area. The prohibition on the sale of individual containers of beer, wine coolers and screw cap wine is a standard condition of approval imposed for Special Use Permits. Staff has consistently denied requests for the sale of beer and wine on this property based on findings that carry-out sales appear to contribute to the deterioration of the downtown environment. This request would be inconsistent with previous recommendations.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 39 – ROC-1770

MINUTES – Continued:

When the original Special Use Permit for the market was approved by the City Council it was indicated that the operator had no intention of selling these individual containers. Staff recommended denial.

RICHARD STURMAN appeared to say that he agreed with the City Council originally. He has had the license for several years, but to better compete in the downtown that they would like to have the ability to sell individual containers.

TODD FARLOW, 240 North 19th Street, appeared in protest. This market was denied individual containers. He felt this should be either denied or held until it is determined how the Entertainment District will function. It is also unknown as to what will happen with the Metropolitan Police Station. Improvements are moving farther east on Fremont Street.

STEVE YONO, 611 East Fremont Street, appeared as the owner of the store. He did not feel he should be penalized while the City is making a decision on the redevelopment of downtown Las Vegas. They have been there for five years and have a ten year lease with an open option. They do not plan on leaving, but want to be competitive. The other businesses on Fremont Street sell single containers.

MANUEL YONO, 611 East Fremont Street, appeared as another owner of the store. The 7-Eleven store sells individual containers. They should not get penalized. The El Cortez Casino sells a single container for 75 cents that the patrons can take out of the casino. Their customers come into the store and then leave because they don't sell single containers. Customers can buy chips and beer from the nearby 7-Eleven store so they would not go to his market just for chips.

COMMISSIONER McSWAIN noted that the name of the store is Fremont Family Market and Deli. STEVE YONO said they sell sandwiches and six-packs. Also, if one container is taken from a six-pack, then they cannot sell the six pack.

COMMISSIONER McSWAIN did not feel this business would create deterioration of the area. It appears to be a well-kept store.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 39 – ROC-1770

MINUTES – Continued:

COMMISSIONER GOYNES felt the store has a nice appearance at the present time, but when single containers are sold the customers come out of the store and want to walk in front of the store while they drink the beer or wine. He did not feel this applicant is being singled out, but it is the direction of where the development of the downtown area is going. He felt they should pride themselves in their market and deli, not alcohol.

STEVE YONO added that with Metro putting in a sub-station on Eighth Street, it has cleaned up the downtown considerably. They do not have customers hanging out in front of the store. They maintain the inside and outside of the store.

RICHARD STURMAN pointed out that this is a family-owned market. The family members work seven days a week from 8:00 a.m. to 11:00 p.m. They have to work those hours because of the economics of the downtown area.

COMMISSIONER EVANS said he was concerned that the direction of the City has been to raise the bar in the downtown area. The approval of this market was predicated on the fact that there would not be the sale of single containers of beer and wine. He wondered if this would cause other applicants to make the same request.

STEVE YONO suggested making this request restricted to just sales in cans, not screw tops and glass bottles.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:34 – 10:50)

3-3200

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-1764 - ALBERT & EILEEN MASSI, ET AL ON BEHALF OF DISTINCTIVE HOMES - Petition to vacate a portion of Horse Drive and Four Views Street and U.S. Government Patent Easements generally located at the northwest corner of El Capitan Way and Horse Drive, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

6

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO - APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the Vacation of a portion of Horse Drive and Four Views Street and U.S. Government Patent Easements is necessary to develop this site. Staff recommended approval subject to the conditions.

TONY MUSSO, Distinctive Homes, 2500 West Sahara Avenue, appeared on behalf of the application.

TODD FARLOW, 240 North 19th Street, appeared in approval.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 40 – VAC-1764

MINUTES – Continued:

LOUIS VLAHOS, 8640 Horse Drive, appeared in approval.

B. J. SHAFFER, 8620 North El Capitan Way, appeared in approval.

LILLIAN SYLVIA, 8575 Homestead Road, appeared in approval.

RICK SYLVIA, 8575 Homestead Road, appeared in approval.

DONNA MILLER, 8620 North El Capitan Way, appeared in approval.

LOUISE RUSKAMP, 8500 Log Cabin Way, appeared in approval.

DALE MACOFEY, 8500 Homestead Road, appeared in approval.

UNIDENTIFIED GENTLEMAN appeared representing the application.

BART ANDERSON, Public Works, spoke on the drainage issue.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item 8 [ZON-1564], Item 9 [VAR-1565] and Item 10 [SDR-1566] for further discussion.

(8:18 – 8:57)

2-1150

CONDITIONS:

1. This Petition of Vacation and Relinquishment of Interest shall be revised to retain all interest within the El Capitan Way alignment.

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 40 – VAC-1764

CONDITIONS – Continued:

2. A Petition of Vacation shall be approved by Clark County prior to the recordation of this Order of Vacation to vacate the north ten feet of right-of-way along the Horse Drive alignment adjacent to Assessor Parcel Numbers #125-08-604-009 and #125-08-604-010.
3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required by ZON-1564 may be used to satisfy this condition.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation and Relinquishment of Interest.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required
6. All development shall be in conformance with code requirements and design standards of all City departments.
7. The Order of Vacation and Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 40 – VAC-1764

CONDITIONS – Continued:

8. If the Order of Vacation and Order of Relinquishment are not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-1777 - HENRY AND JUDITH SMITH - Petition to vacate a portion of Lexington Street generally located north of Balzar Avenue, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions - UNANIMOUS

To be heard by the City Council on 4/16/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated the public streets within this neighborhood are all dedicated as 60-foot wide rights-of-way. However, most of the streets have been constructed as 51-foot wide roadways. Consequently, there is a total of nine feet of unused right-of-way, 4'5", on either side. This Vacation will not eliminate public access or landlock any parcels or affect traffic movement. Staff recommended approval subject to the conditions. No one appeared in opposition.

HENRY SMITH, 3045 Birch Street, said he concurs with the conditions.

PLANNING COMMISSION MEETING OF MARCH 13, 2003
Planning & Development Department
Item 41 – VAC-1777

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(10:50 – 1:51)
4-250

CONDITIONS:

1. This Petition of Vacation shall be amended to retain 20-foot radii at the northeast corner of Lexington Street and Balzar Avenue and the southeast corner of Lexington Street and Bartlett Avenue.
2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments

PLANNING COMMISSION MEETING OF MARCH 13, 2003

Planning & Development Department

Item 41 – VAC-1777

CONDITIONS – Continued:

5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MARCH 13, 2003

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MEETING ADJOURNED AT 10:53 P.M.

Respectfully submitted:

ANGELA CROLLI, DEPUTY CITY CLERK

LINDA OWENS, DEPUTY CITY CLERK